

VIRGINIA

Emma B. Snow, Clover.
Bertha Thompson, Ferrum.
Mary C. Lewis, Fort Eustis.
Jesse R. Skinner, Kenbridge.
P. Edgar Lineburg, Stephens City.

WISCONSIN

Chester A. Minshall, Viroqua.

HOUSE OF REPRESENTATIVES

TUESDAY, May 13, 1930

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Merciful Father in Heaven, we are thankful that we are looking again upon the radiant sky and the face of the earth. Surely Thou art bringing forth abundantly Thy blessings. To all who are filled with secret gladness, to all those from whose pathway have been taken away obstacles, to all those who have been saved from any impending danger or hard difficulty, to all those who have come hither with solemn purpose—to all, O God, grant Thy most cherished blessings as they breathe the prayer of praise and thanksgiving. Conduct us through these days and let none of us fail. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 156. An act to authorize the disposal of public land classified as temporarily or permanently unproductive on Federal irrigation projects;

H. R. 1793. An act for the relief of Albert L. Loban;

H. R. 9850. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near New Martinsville, W. Va.; and

H. R. 10248. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Moundsville, W. Va.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 8154. An act providing for the lease of oil and gas deposits in or under railroad and other rights of way; and

H. R. 10813. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1931, and for other purposes.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 134. An act authorizing an appropriation for the purchase of land for the Indian colony near Ely, Nev., and for other purposes;

S. 465. An act to give war-time rank to retired officers and former officers of the United States Army;

S. 872. An act to amend an act for the relief of certain tribes of Indians in Montana, Idaho, and Washington;

S. 1372. An act authorizing an appropriation for payment of claims of the Sisseton and Wahpeton Bands of Sioux Indians;

S. 1406. An act for the relief of Mary S. Howard, Gertrude M. Caton, Nellie B. Reed, Gertrude Pierce, Katie Pensel, Josephine Pryor, Mary L. McCormick, Mrs. James Blanchfield, Sadie T. Nicoll, Katie Lloyd, Mrs. Benjamin Warner, Eva K. Pensel, Margaret Y. Kirk, C. Albert George, Earl Wroldsen, Benjamin Carpenter, Nathan Benson, Paul Kirk, Townsend Walters, George Freet, James B. Jefferson, Frank Ellison, Emil Kulchycky, Harold S. Stubbs, and the Bethel Cemetery Co.;

S. 1792. An act to provide for the appointment of an additional district judge for the southern district of California;

S. 1849. An act for the relief of Francis B. Kennedy;

S. 1906. An act for the appointment of an additional circuit judge for the fifth judicial circuit;

S. 2043. An act to promote the agriculture of the United States by expanding in the foreign field the service now rendered by the United States Department of Agriculture in acquiring and diffusing useful information regarding agriculture, and for other purposes;

S. 2836. An act to admit to the United States Chinese wives of certain American citizens;

S. 3060. An act to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes;

S. 3493. An act to provide for the appointment of an additional circuit judge for the third judicial circuit;

S. 3619. An act to reorganize the Federal Power Commission;

S. 3810. An act to provide for the commemoration of the termination of the War between the States at Appomattox Court House, Va.;

S. 4015. An act to provide for plant patents;

S. 4017. An act to amend the act of May 29, 1928, pertaining to certain War Department contracts by repealing the expiration date of that act;

S. 4028. An act to amend the Federal farm loan act as amended;

S. 4030. An act to provide books for the adult blind;

S. 4085. An act to authorize the use of a right of way by the United States Indian Service through the Casa Grande Ruins National Monument in connection with the San Carlos irrigation project;

S. 4096. An act to amend section 4 of the Federal reserve act;

S. 4108. An act to provide for reimbursement of appropriations for expenditures made for the upkeep and maintenance of property of the United States under the control of the Secretary of War, used or occupied under license, permit, or lease; and

S. J. Res. 163. Joint resolution to carry out certain obligations to certain enrolled Indians under tribal agreement.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9323) entitled "A bill granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, etc., and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors."

The message also announced that the Vice President had appointed Mr. METCALF and Mr. COPELAND members of the joint select committee on the part of the Senate as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Department of Labor.

The message also announced that the House of Representatives is requested to return to the Senate the bill (H. R. 8296) entitled "An act to amend the act of May 25, 1926, entitled 'An act to adjust water-right charges, to grant certain other relief on the Federal irrigation projects, and for other purposes.'"

SPEAKER PRO TEMPORE

The SPEAKER. The Chair designates the gentleman from Connecticut [Mr. TILSON] to act as Speaker pro tempore to-morrow.

SALE OF POST-OFFICE AND COURTHOUSE BUILDING AND SITE AT SYRACUSE, N. Y.

Mr. ELLIOTT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7768) to provide for the sale of the old post-office and courthouse building and site at Syracuse, N. Y., with a Senate amendment and agree to the Senate amendment.

The SPEAKER. The gentleman from Indiana [Mr. ELLIOTT] asks unanimous consent to take from the Speaker's table the bill H. R. 7768, with a Senate amendment, and agree to the same. The Clerk will report the bill and the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 6, after "York," insert "at public sale after due advertisement."

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. ELLIOTT]?

There was no objection.

The Senate amendment was agreed to.

UNITED STATES BUREAU OF FISHERIES

Mr. LEHLBACH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7405) to provide for a 5-year construction and maintenance program for the United States Bureau of Fisheries, with Senate amendments, and concur in the Senate amendments.

The SPEAKER. The gentleman from New Jersey [Mr. LEHLBACH] asks unanimous consent to take from the Speaker's table the bill H. R. 7405, with Senate amendments, and concur in the same.

The Clerk will report the bill and Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 8, after "\$50,000," insert "Louisiana, \$50,000."

Page 7, line 1, after "cultural," insert "the encouragement of fish conservation in the waters of the Great Lakes and other waters."

The SPEAKER. Is there objection to the request of the gentleman from New Jersey [Mr. LEHLBACH]?

Mr. GARNER. Reserving the right to object, may I ask the gentleman from New Jersey—

Mr. LEHLBACH. The gentleman has consulted with the ranking member and other members of the minority, and this action is taken pursuant to the unanimous direction of the committee.

Mr. GARNER. I am obliged to the gentleman for his statement.

The SPEAKER. Is there objection?

There was no objection.

The Senate amendments were agreed to.

C. L. BEARDSLEY

Mr. IRWIN. Mr. Speaker, I ask unanimous consent, by direction of the entire committee, to take from the Speaker's table the bill (H. R. 1251) for the relief of C. L. Beardsley, with a Senate amendment, and concur in the Senate amendment.

The SPEAKER. The gentleman from Illinois [Mr. IRWIN] asks unanimous consent to take from the Speaker's table the bill H. R. 1251, with a Senate amendment, and concur in the same.

The Clerk will report the bill and the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 6, strike out "\$325" and insert "\$162.50."

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. IRWIN]?

Mr. GARNER. Mr. Speaker, reserving the right to object—and I do not intend to object—is this not a rather unusual request—to have a private bill taken up out of order?

The SPEAKER. It is a House bill with a Senate amendment.

Mr. GARNER. I do not object.

The SPEAKER. Is there objection?

There was no objection.

The Senate amendment was agreed to.

A. J. MORGAN

Mr. IRWIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 668) for the relief of A. J. Morgan, with a Senate amendment, and concur in the Senate amendment.

The SPEAKER. The gentleman from Illinois [Mr. IRWIN] asks unanimous consent to take from the Speaker's table the bill H. R. 668, with a Senate amendment, and concur in the Senate amendment.

The Clerk will report the bill and the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 6, strike out "as compensation" and insert "in full settlement of all claims against the Government."

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. IRWIN]?

There was no objection.

The Senate amendment was agreed to.

PLANT PATENTS

Mr. VESTAL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 4015) to provide for plant patents, which is in the exact language of a House bill reported unanimously from the Committee on Patents, and I ask unanimous consent for the present consideration of the bill. I have consulted every Member of the Committee on Patents, and I have been directed by them to call up the bill.

The SPEAKER. The gentleman from Indiana [Mr. VESTAL] asks unanimous consent for the present consideration of the bill S. 4015, which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That sections 4884 and 4886 of the Revised Statutes, as amended (U. S. C., title 35, secs. 40 and 31), are amended to read as follows:

"Sec. 4884. Every patent shall contain a short title or description of the invention or discovery, correctly indicating its nature and design, and a grant to the patentee, his heirs or assigns, for the term of 17 years, of the exclusive right to make, use, and vend the invention or discovery (including in the case of a plant patent the exclusive right to asexually reproduce the plant) throughout the United States and the Territories thereof, referring to the specification for the particulars thereof. A copy of the specification and drawings shall be annexed to the patent and be a part thereof.

"Sec. 4886. Any person who has invented or discovered any new and useful art, machine, manufacture, or composition of matter, or any new and useful improvements thereof, or who has invented or discovered and asexually reproduced any distinct and new variety of plant, other than a tuber-propagated plant, not known or used by others in this country before his invention or discovery thereof, and not patented or described in any printed publication in this or any foreign country before his invention or discovery thereof, or more than two years prior to his application, and not in public use or on sale in this country for more than two years prior to his application, unless the same is proved to have been abandoned, may, upon payment of the fees required by law and other due proceeding had, obtain a patent therefor."

Sec. 2. Section 4888 of the Revised Statutes, as amended (U. S. C., title 35, sec. 33), is amended by adding at the end thereof the following sentence: "No plant patent shall be declared invalid on the ground of noncompliance with this section if the description is made as complete as is reasonably possible."

Sec. 3. The first sentence of section 4892 of the Revised Statute, as amended (U. S. C., title 35, sec. 35), is amended to read as follows:

"Sec. 4892. The applicant shall make oath that he does verily believe himself to be the original and first inventor or discoverer of the art, machine, manufacture, composition, or improvement, or of the variety of plant for which he solicits a patent; that he does not know and does not believe that the same was ever before known or used; and shall state of what country he is a citizen."

Sec. 4. The President may by Executive order direct the Secretary of Agriculture (1) to furnish the Commissioner of Patents such available information of the Department of Agriculture, or (2) to conduct through the appropriate bureau or division of the department such research upon special problems, or (3) to detail to the Commissioner of Patents such officers and employees of the department as the commissioner may request for the purposes of carrying this act into effect.

Sec. 5. Notwithstanding the foregoing provisions of this act, no variety of plant which has been introduced to the public prior to the approval of this act shall be subject to patent.

Sec. 6. If any provision of this act is declared unconstitutional or the application thereof to any person or circumstance is held invalid, the validity of the remainder of the act and the application thereof to other persons or circumstances shall not be affected thereby.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

A similar House bill was laid on the table.

SETTLEMENT OF WAR CLAIMS ACT OF 1928

Mr. HAWLEY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H. J. Res. 328), authorizing the immediate appropriation of certain amounts authorized to be appropriated by the settlement of war claims act of 1928. This is a unanimous report from the Committee on Ways and Means.

The SPEAKER. The gentleman from Oregon [Mr. HAWLEY] asks unanimous consent for the immediate consideration of a joint resolution (H. J. Res. 328), which the Clerk will report.

The Clerk read the House joint resolution, as follows:

Resolved, etc., That the sums authorized by subsection (p) of section 3 of the settlement of war claims act of 1928 to be appropriated after the date on which the awards of the war claims arbiter under section 3 of such act are certified to the Secretary of the Treasury, are hereby authorized to be appropriated at any time, but shall not be available until after such date.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. GARNER. Mr. Speaker, reserving the right to object, will the gentleman from Oregon [Mr. HAWLEY] state briefly just what this joint resolution is and the reason for it, so that if any Member desires to object, he may do so? I understand it is a unanimous report from the Committee on Ways and Means, but, since it authorizes an appropriation of \$50,000,000, I think the gentleman from Oregon [Mr. HAWLEY] might take a couple of minutes to tell the House what it is, so that if any Member desires to object, he may do so.

Mr. HAWLEY. Under the settlement of war claims act of 1928, a limit of \$100,000,000 was placed upon the amount to be used in paying the claims of the United States nationals and German nationals and certain other claims specified in the act; \$50,000,000 were appropriated at that time and the amount was divided equally between the American and German claims.

It now appears from the statement of Judge Remick, the new arbiter, that he will conclude his work in the near future, and at as early a date as possible. Under the law the appropriations for the awards can not be made until after the awards

are made. This resolution proposes to authorize the Committee on Appropriations, upon estimates from the Treasury, to include in the forthcoming deficiency bill the necessary appropriations to meet the claims that may be agreed upon during the summer. If, for instance, \$40,000,000 should be awarded during July and August, the amounts could not be paid until after Congress met in December; and by the time the legislation was enacted it would probably be February before the amounts could be paid. Interest runs at the rate of 5 per cent, and on that amount of money a six months' delay would mean an interest charge of \$1,000,000. The committee presents the matter as an emergency and asks that the resolution pass.

Mr. CRISP. Will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. CRISP. The practical effect of this resolution is to in no way increase the amount which the Government is contributing from the Treasury, to wit, \$100,000,000?

Mr. HAWLEY. It does not increase the sum of \$100,000,000.

Mr. CRISP. If the resolution is passed now, it might reduce the amount by saving several million dollars in the interest of the taxpayers of the United States?

Mr. HAWLEY. It will result in a saving of interest. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include a letter from the Treasury on the subject.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The letter referred to follows:

TREASURY DEPARTMENT,
Washington, May 10, 1930.

Hon. W. C. HAWLEY,

Chairman Committee on Ways and Means,

House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: I have your letter of May 5, 1930, requesting any comments or recommendations that this department may care to make in respect to H. J. Res. 328, authorizing the immediate appropriation of certain amounts under the settlement of war claims act of 1928.

Paragraph (p) of section 3 of the settlement of war claims act of 1928 authorized an immediate appropriation of \$50,000,000, and after the date on which the awards of the arbiter entered in favor of German nationals for ships, radio stations, and patents are certified to the Secretary of the Treasury for payment, such additional amounts as, when added to the amounts previously appropriated, will be equivalent to the aggregate amount of all awards entered by the arbiter plus the amounts necessary for the expenses of administration, except that the aggregate of such appropriations shall not exceed the sum of \$100,000,000. An appropriation of \$50,000,000 was made in the second deficiency bill, approved May 29, 1928, of which \$25,000,000 was immediately used as authorized by the settlement of war claims act of 1928 to make payment on account of awards of the mixed claims commission, United States and Germany, in favor of American nationals, and the balance is reserved to make payment on account of the awards to be entered by the war claims arbiter in favor of the German nationals. The proposed legislation is for the purpose of authorizing the immediate appropriation of such additional amounts as may be necessary to meet the payment of these awards.

Judge Remick, the recently appointed war claims arbiter, advises me that he is doing everything possible to wind up the affairs of the office of the war claims arbiter as expeditiously as possible under all the circumstances. While he can not definitely advise as to when he will finally enter the awards of the German nationals, there is a possibility that the awards may be entered and certified to the Treasury for payment prior to the convening of the next Congress in December. If the requests for appropriations to pay these awards were delayed until that time in order that they may be submitted for inclusion in the first deficiency bill, the funds would probably not become available until February 1, 1931, and possibly later. In view of the fact that these awards will all bear interest at the rate of 5 per cent per annum beginning January 1, 1929, the Treasury feels that it is advisable that Congress grant authority for the immediate appropriation of such an amount as will be necessary to meet the payment of the awards of the arbiter as authorized by the settlement of war claims act of 1928. By thus obtaining authority for the immediate appropriation of the funds necessary to meet these awards, the Treasury will be in a position to submit estimates of appropriations, indefinite in amount, to be included in the second deficiency bill now being considered by the Appropriations Committee of the House. It is desirable that these funds be available immediately after the certification of the awards to the Treasury for payment so that the Treasury will then be in a position to make payment at once. This would enable the Treasury to save interest to the German special deposit account, created by the act, at the rate of 5 per cent per annum on the amount of such awards.

The proposed legislation has, therefore, the approval of this department and I urge its immediate passage in order that the Treasury may be in a position to submit estimates of the appropriation for the second deficiency bill soon to be considered by the Congress.

Very truly yours,

A. W. MELLON,
Secretary of the Treasury.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the resolution was passed was laid on the table.

DEFENSE OF COMMISSIONER WHALEN, OF NEW YORK CITY

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that I may address the House for eight minutes.

The SPEAKER. The gentleman from New York asks unanimous consent to proceed for eight minutes. Is there objection?

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, ladies and gentlemen of the House, I rise to protest against the speech made by our good friend and colleague [Mr. LA GUARDIA] on the floor of this House, in which speech he condemned an official of the city of New York and said to this House that some one sold Commissioner Whalen a gold brick. It is my opinion from the evidence I have that some one sold the gentleman from New York a foolish story. The gentleman from New York said to this House that Commissioner Whalen came before the Committee on Immigration and identified certain documents as the official documents of communistic propaganda within the city of New York. This charge appears on page 8769 of the RECORD. I do not want to misrepresent my colleague so let me quote what he said to the House:

The fact remains, however, that many people became alarmed when the commissioner of police came to a committee of the House and these documents were presented to the committee.

Again I quote from Mr. LA GUARDIA's speech, page 8770:

I submit that when the police commissioner of New York City has some information to give to Congress, he ought to submit to every test before getting the country unduly exercised about the existence of communistic activities based on documents the authenticity of which we can not vouch for.

He makes the charge that the police commissioner of the greatest city of the world came before a committee of this House and submitted certain documents which would show communistic propaganda. Mr. Speaker, ladies, and gentlemen of the House, Commissioner Whalen did nothing of the sort. Commissioner Whalen never presented any documents before the committee.

I say that every public official ought to be protected from attack by the Congress of the United States when they voluntarily come here and give some information which would be for the best interests of the United States. Commissioner Whalen never guaranteed or stated that these documents were genuine. He simply said he had certain photostat copies of documents and that an investigation was being made as to the truth or falsity of these documents.

Why make such a charge against a public official who came here and gave the Committee on Immigration most valuable information with regard to certain things that are happening not only in the city of New York but in every community in the United States of America? I think the gentleman from New York should apologize to the commissioner of police of the city of New York, because he did not submit any documents to the committee. When the committee pressed him for documents he told the truth. He said:

I do not know whether these documents come from the Communist Party or from any other party. When I am through examining these documents I will be glad to submit any further proof as the result of my examination.

I say it is not fair to make such a charge against a public official of this great city, an official who is trying to do his best, an official who is trying to eradicate crime as well as communism, which may be detrimental to the United States. I say it is wrong to charge him with something he did not do. Then on top of that the gentleman from New York got a great laugh by saying they sold him a gold brick. I think the gentleman from New York [Mr. LA GUARDIA] made a front-page speech in the newspaper, such as I have here, the Evening Graphic. That is where he received his information, and because of some discrepancy between the commissioner of police

and this paper, in regard to certain facts which the Graphic wanted, and which the commissioner's office refused to divulge, they submitted to Mr. LA GUARDIA certain photostat documents, resulting in this attack on the police commissioner of the city of New York.

I welcome your police commissioner or any other public official to come before the Congress and give us information that will once for all eradicate the undesirable as well as those communists who believe in overthrowing this Government. That is what we want. I do not say we have such conditions; I do not say we should be alarmed; but I do say we should give every man, every official, and every witness a fair chance to be heard and then render our opinion. [Applause.]

NAVAL APPROPRIATION BILL

Mr. FRENCH. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 12236) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1931, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill, with Mr. HOCH in the chair.

The Clerk read the title of the bill.

Mr. FRENCH. Mr. Chairman, I want to make a brief statement to the members of the committee:

Last evening, before we adjourned, there were two Members of the House who had been promised time under general debate who were not recognized. The gentleman from Minnesota [Mr. KNUTSON], as chairman of the Committee on Pensions, was attending in the afternoon the funeral of the late Commissioner of Pensions, Colonel Church, and the gentleman from Kansas [Mr. AYRES] had promised time to one of the Members of the minority. I therefore ask unanimous consent that the gentleman from Minnesota be given permission to speak out of order for 15 minutes before we begin reading the bill further under the 5-minute rule, and that Mr. AYRES, in charge of the bill for the minority, be permitted to recognize for 20 minutes the Member to whom he had promised time, and that then we proceed with the reading of the bill under the 5-minute rule.

The CHAIRMAN. The gentleman from Idaho asks unanimous consent that the gentleman from Minnesota [Mr. KNUTSON] be permitted to proceed for 15 minutes out of order and that the gentleman from Georgia [Mr. LANKFORD] be permitted to address the committee for 20 minutes out of order. Is there objection?

There was no objection.

Mr. KNUTSON. Mr. Chairman, early in the present session I introduced a bill to grant independence to the Philippine Islands, but did not press for consideration of the legislation, as I was given to understand that to do so during the London Naval Conference might have worked against the interests of the United States.

The Insular Committee of the House held hearings on the measure on last Monday and Tuesday of this week, and I am very hopeful for a favorable report, so that the House may be given an opportunity to vote upon this question during the present Congress.

At the outset I wish to state my position, so that there may be no misunderstanding. I am in favor of the immediate independence of the Philippine Islands because their retention adversely affects American agriculture and labor. Last year we imported something like 700,000,000 pounds of vegetable oils from the islands. This enormous quantity of oil was used in the manufacture of butter substitutes and soaps, and therefore entered into direct competition with our dairy interests and swine raisers. I have no doubt but that the present low price in butter and lard is due largely to this enormous importation of vegetable oils.

The Philippine Islands also exported to the United States between 500,000 and 600,000 tons of sugar, displacing an equal amount of American-grown beet and cane sugar. So long as the islands can continue to export to the United States vegetable oil and sugar duty free, so long will the American farmer continue to pay the bill for their occupation.

Not only does the Philippine farmer compete with the American farmer but the Filipino who comes to the United States to work is a keen and serious competitor for the American laboring man. There are in the United States at the present time between 50,000 and 60,000 Filipinos. I am informed that something like 11,000 came here last year, which was a big increase over the number coming during the preceding year. Out on the

Pacific coast we have recently had race riots as a result of the large number of Filipinos out there who are crowding the American laboring man out of work. I have here a portion of the classified section of the Los Angeles Times for May 3, and I find, under the "Situations Wanted" head, 13 Filipinos advertising for work out of a total number of 81. In going through the columns I found several who deemed it necessary to state that they were Americans and white. One can draw no other conclusion than that the unfortunate race riots recently staged on the west coast were caused by economic pressure rather than racial prejudice. I have here a clipping from Seattle, by the Associated Press, under date of May 7, that I wish to read:

WHITES DRIVE OUT FILIPINO FARMERS—FOUR KIDNAPED WHEN HORDE SWEEPS DOWN ON WEST COAST RANCHES

SEATTLE, WASH., May 7.—At least four Filipinos were reported to have been abducted and dozens of others were driven from their lodgings at Kent, 20 miles south of here, to-day when twoscore white workers raided several ranches on which the Malays had been employed.

State and county officers rushed from Seattle to the district into which about 200 Filipinos were said to have been imported to replace white labor.

The raiding parties, owners of the ranches reported, swooped down on the Filipino camps in automobiles, driving away the Filipinos with threats of violence if they returned.

Edwin Dolle, one of the alleged raiders, was arrested.

The Filipinos were paid 25 cents an hour, while the white workers had received 50 cents.

I am personally fond of the Filipino people and I entertain a high regard for them. They are an intelligent people as well as alert and aggressive. In the 30 years that they have been under our tutelage they have shown a capacity that is nothing short of marvelous. But with all my admiration and regard for the Filipinos, I am for the Americans first, and I am firmly convinced that the time has come to take definite action with reference to the Philippine Islands. We can never hope to assimilate them; neither can we hope to compete with them. The longer we delay taking definite action with reference to the islands the more complex and difficult will our problem become. And the greater their exports to this country and the more numerous the immigrants from the Philippines the more serious will the situation become.

Mr. JOHNSON of Texas. Will the gentleman yield?

Mr. KNUTSON. Yes.

Mr. JOHNSON of Texas. Is it not the gentleman's judgment that if the Philippines are kept by the United States and the people of those islands not granted their independence, it is only a question of time when we will become involved in a war with some foreign nation by reason of our retention of the islands?

Mr. KNUTSON. Of course, that is a matter of opinion—

Mr. JOHNSON of Texas. It is speculative, I know.

Mr. KNUTSON. But I do think that from the military angle the Philippines are a source of weakness as well as danger.

Mr. RANKIN. Will the gentleman yield?

Mr. KNUTSON. Yes; I yield to the gentleman from Mississippi.

Mr. RANKIN. Does not the gentleman think we owe it to the Filipinos to grant them independence based on a higher ground than he has yet mentioned, and that is our solemn promise to give them their independence?

Mr. KNUTSON. Let me reply to the gentleman from Mississippi by saying—

Mr. RANKIN. Does not the gentleman think that is a little more important than the reasons he has so far given—that we are under a solemn pledge to the Filipinos to give them independence and we are ignoring that pledge to-day?

Mr. KNUTSON. Oh, any pledge made affecting the welfare of a nation is very apt to become, as the Germans said during the late war, a "scrap of paper" in time of national crisis; and I want to say further to the gentleman from Mississippi that if it were to our interest, or if the necessities of the Republic and the American people required that we retain the Philippines I would be willing to spend the last dollar and the last drop of blood to retain them. [Applause.] I am approaching this question from a practical angle.

Mr. RANKIN. I will say to the gentleman from Minnesota I take exactly the opposite view. We are under a solemn pledge to give them their independence and I am in favor of carrying out that solemn pledge. We are honor bound to do so, which should be more binding on us than mere "interest."

Mr. KNUTSON. Whatever reason the gentleman has for being for Philippine independence is immaterial as long as he is for independence. I want to be frank and say that I am

for independence for another reason altogether than the one stated by the gentleman. I feel that too much stress has been placed on the moral aspect heretofore.

Mr. RANKIN. Will the gentleman yield for another question?

Mr. KNUTSON. Yes.

Mr. RANKIN. The gentleman is a member of the Committee on Insular Affairs. I want to ask what the chances are of getting a bill reported to give them full and complete independence at an early date?

Mr. KNUTSON. Well, the gentleman is a Member of the House and I think he has as much information on the subject as I have, but I will say to the gentleman that I have found a steady, pronounced growth of sentiment in favor of Philippine independence on this side of the aisle in the last year.

Mr. RANKIN. Does not the gentleman think this would be a good time to bring out a bill giving them independence? We Democrats have been in favor of it all along.

Mr. KNUTSON. I think the gentleman will find that all the Republicans, or nearly all the Republicans, from the Pacific coast have changed their views with regard to Philippine independence, and I think that those who represent large sugar-beet growing areas, as well as the Representatives from Louisiana, are in favor of Philippine independence at this time.

Mr. RANKIN. As a good, old Methodist preacher down in my country once said, "While we have them on shouting ground, let us call for mourners and have the thing over with."

Mr. KNUTSON. Well, there will be no mourning when we get rid of the Philippines. In addition to affecting us adversely from the economic angle, they are also an ever-present menace to our peace, and, no matter from what angle we view this very important subject, we can reach no other conclusion than that the time has come to set them free. With the retention of the Philippines it is necessary for us to maintain greater naval and military strength than would be the case did we not have the Philippine Islands, and I dare say that our experience with them has cost the American taxpayers hundreds of millions of dollars.

I am firmly convinced of the Filipinos' capacity for self-government. For nearly 30 years they have administered the affairs of their local political subdivisions with signal success, and we have no reason to believe that their affairs would not be equally well administered were they granted complete independence. I have no sympathy with those who hold to the theory that we have not fulfilled our obligations to the Filipino people. I ask you where, in all the history of the world, can one find a parallel example for unselfish disinterestedness? We have repeatedly said that we did not go into the Philippines for personal gain or national aggrandizement and that it was our purpose to give them their independence when they had shown their capacity for self-government. They have shown themselves capable of self-government and we have fulfilled our mission out there. Under American rule, schools and colleges have been opened, law and order established and maintained, communications opened between all parts of the islands, and property rights absolutely secured. The Filipino people have repeatedly given expression of their appreciation for what we have done for them, but now they say they are ready for independence, and I, for one, am willing to take them at their word.

Mr. RANKIN. Will the gentleman yield?

Mr. KNUTSON. Yes.

Mr. RANKIN. Is it not a fact also that the opposition to Philippine independence is coming largely from the financial interests that are making money out of the oils, fats, fruits, sugars, and so forth, that are being shipped into the United States from the Philippine Islands?

Mr. KNUTSON. I believe that is true. I think much of the opposition to Philippine independence is based upon selfish considerations.

Mr. RANKIN. Is it not all based upon selfish considerations?

Mr. KNUTSON. There may be a few utopians who take the position that we have not fulfilled our mission out there; but let me say to the gentleman from Mississippi that on Monday last it was testified to before the Committee on Insular Affairs that conditions in the islands are absolutely stagnant. Foreign capital is afraid to go in and make further developments, because they do not know what the future status of the islands is going to be. It is not fair to the Americans and certainly it is not fair to the Filipinos to let things remain in the present unsettled condition.

Mr. RANKIN. One of my colleagues just spoke to me here and said that 95 per cent of the Members on the Democratic side are in favor of immediate independence and will vote for it. I really think we would make 100 per cent if your committee should report such a measure.

Mr. KNUTSON. I am glad to hear that. Let us pray for the other 5 per cent.

Mr. GREEN. Will the gentleman yield?

Mr. KNUTSON. I have only two minutes remaining.

Mr. GREEN. I believe I can contribute something to the gentleman's speech in that time. If a great many of our people who are opposed to Philippine independence could have been present at the hearings of the Committee on Immigration recently and heard the able and eloquent pleas of the Resident Commissioners, Mr. GUEVARA and Mr. OSIAS, and the Speaker of the Philippine Legislature, I believe any doubt they may have had as to their ability to govern themselves would have been completely wiped out of their minds.

Mr. KNUTSON. I am glad to have the gentleman's observation.

In closing, let me say to the House that if we do not take some definite action with regard to the future of the islands during this session of Congress, the question of Philippine independence will be one of the paramount issues in the campaign of 1932, and the agricultural sections of the country will rally to the support of the party that comes out unequivocally for the early independence of the Philippine Islands. It should not be a political question. As I view it, it is a moral and economic question, with perhaps a tinge of a social aspect.

At the hearings on Tuesday before the Insular Committee, I served notice that if my measure was not acted upon by the committee and referred to the House, I would be tempted to invoke the rules of this body to take the measure from the committee and bring it on to the floor for consideration. I should do this with a great deal of reluctance because, as a general proposition, we can not legislate wisely and well upon measures that have not been fully considered in committee. But the need for early action in this matter is so great that I would feel justified in taking that unusual course. I have every hope that it will not be necessary to invoke this procedure, but my feeling is that the future welfare of the American people as well as the Filipinos, socially and economically, is so largely dependent upon the granting of early independence to the Philippine Islands that I am prepared to go to almost any extreme to bring this about.

I have every hope we may bring this legislation to the House at an early date. It has been dragging along ever since I have been a Member of this body. I can not recall a session when we have not given consideration to this question in committee, and the time has come to bring the measure out on the floor where the membership of the House may be given an opportunity to vote on it. [Applause.] I thank you.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. LANKFORD] for 20 minutes.

Mr. LANKFORD of Georgia. Mr. Chairman, ladies and gentlemen of the committee, during the short time allowed me I wish to speak briefly concerning some remarks made by the gentleman from New York [Mr. SNELL] on last Friday, in which he endeavored to raise some question concerning the statements which I made on the previous day.

I wish to say that I never have endeavored to make on this floor a bitter political speech or to make an unfair thrust at the Republican Party or any member of the Republican Party, and I do not wish to do so at this time, and shall not do so.

In fact, I would not say the things that I intend now to say except for the fact that the gentleman from New York wanted to leave, as I understand it, an unfair impression on the country as to what I felt about the tariff bill, and my position on the tariff bill.

The gentleman from New York, among other things, said that he wanted the country to understand that the river and harbor bill was reported out by a Republican committee, of which Mr. DEMPSEY, of New York, was chairman, thereby endeavoring to leave the impression that I was not fair in my statement in connection with the river and harbor bill. Let me read briefly what I said in my speech about the river and harbor bill and the committee. I said this:

I realize also that I would have failed except for the splendid help of the Army engineers and their excellent chief, General Brown, and his courteous and ever-helpful assistant, General Deakne. Then, again, how can I express my thanks to the splendid House Committee on Rivers and Harbors and its members, from the excellent chairman, the gentleman from New York, Mr. DEMPSEY, and the ranking Democrat, the much beloved and honored gentleman from Texas, Mr. MANSFIELD, down to and including not only all the committee but each and every one of its courteous clerical force.

I made further mention of the fact that the gentleman from Georgia [Mr. EDWARDS] had rendered valiant service not only to Georgia but to the whole Nation, and especially to the South, by his services in connection with the river and harbor bill. [Applause.]

I made mention of the fact that the tariff committee had reported out a tariff bill, and I endeavored to show that the Committee on Ways and Means only contended for what they thought was fair. I did not then contend that there was not worked out a tariff bill which was reasonably fair to the country and to the South. This is true except for the fact that it is overloaded with tariff on manufactured articles made in the State of the gentleman from New York, who is criticizing me—manufactured articles from New England—and very little attention given to the South and West by the very crowd that is getting most out of the bill.

Ladies and gentlemen of the committee, I have endeavored to be fair in my discussion of tariff legislation. Before I came to Congress 12 years ago I told my people that if I came to Congress I would do all I could to secure a tariff on farm products of the South. I was elected on that promise, and in the first speech I made on the floor of this House in connection with the tariff bill I said I favored a duty on peanuts, cottonseed oil, and all products grown in the South. I told my people that a tariff bill ought to be fair, but we did not produce enough products in the South on which the tariff was effective to enable us to frame a fair tariff bill with high rates for the manufactured articles of New York and New England. I said that while that was true it made all the stronger reason why I would fight for a tariff on these products and commodities of the South. Every speech I have made from that time to the present time has been to that effect, and I would vote for a fair tariff bill—Republican, if you please, although I rather it be a Democratic bill.

Mr. Chairman, I have done everything I possibly could to improve the present tariff bill. I have made several speeches urging a tariff on every possible item that would help my people in any way. I knew there would be a heavy tariff on everything that my people buy, and I wanted to offset this injury so far as possible.

I appeared before the Ways and Means Committee and before a subcommittee and urged in every way possible a tariff on peanuts, cottonseed products, tar and pitch of wood, turpentine, and every other southern product where I thought there was a chance to help my people. I followed the bill over to the Senate and conferred with various southern Senators and urged them to help in the matter of securing a tariff on the products of the South.

I did not make this fight alone, but was joined by many of the Representatives of the South, both Democrats and Republicans. For days, weeks, months, and even unto the present time we have waged a warfare for the same help for the farmer as is to be granted to the manufacturers and for the same protection for the South as is given to other sections.

All the while we knew we were making a losing fight, for the simple reason that there is so much more in the manufacturing centers that can be helped by a tariff than there is in the rural or farming areas. We endeavored to help the situation by getting the export-debenture plan made a part of the tariff bill, but it seems we are doomed to failure here. The debenture is not a cure-all, but it is better than nothing and would help the farmers at least a little. I do not hesitate to say that I will and do vote for and support a tariff when I think it is just and will at all benefit my people. I vote for even Republican tariff items if they are fair. I ought not to say that unless it is true. Let me say to the gentleman from New York [Mr. SNELL] that about nine years ago this month we had up for consideration the emergency tariff bill, the tariff bill dealing with the tariff on farm products. That was a Republican tariff bill which I considered was a reasonably fair tariff bill for the South, and let me say to the gentleman that I voted for the emergency tariff bill, although I was the only man from the State of Georgia to vote for it.

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. LANKFORD of Georgia. Oh, let the gentleman get time in his own right and talk a little bit later. I did not ask him to yield to me. I repeat I voted for the emergency tariff bill, when there was not a man from Georgia or any State touching Georgia who voted for it except the gentleman from Florida, Mr. Smithwick, and since that time I have made speech after speech showing my position on tariff bills and on the tariff.

Mr. Chairman, at this time I ask unanimous consent to extend in the RECORD various extracts from several speeches that I made on the floor of the House from time to time on the tariff bill, to show my position on the tariff.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

Mr. TREADWAY. Mr. Chairman, reserving the right to object, did I understand the gentleman to say that he wants to extend his remarks by inserting extracts from speeches that he has already made?

Mr. LANKFORD of Georgia. That is correct.

Mr. TREADWAY. Then they have already appeared in the RECORD?

Mr. LANKFORD of Georgia. I want to print them in connection with these remarks.

Mr. TREADWAY. O Mr. Chairman, I object.

Mr. GREEN. I suggest to the gentleman from Georgia that he read them into the RECORD.

Mr. LANKFORD of Georgia. I will not have time to read them into the RECORD. I told the gentleman from Connecticut [Mr. TILSON] yesterday that I wanted an hour's time in order to make this speech, and he said that I would not be able to get it. I have been allowed 20 minutes, and I have used half of that time now. I can not read those remarks in the RECORD, but I will get them into the RECORD before Congress adjourns, by unanimous consent, or there will be a lot less unanimous consents granted around here in the future than there have been in the past. [Applause.]

Mr. Chairman, the gentleman from New York [Mr. SNELL] asked me to show wherein I had helped in connection with the tariff on certain farm products. I shall not attempt to go into that at this time. I shall ask unanimous consent to extend my own remarks in the RECORD, however, dealing with my position on the tariff, and I now ask unanimous consent that I may extend my own remarks in the RECORD in so far as they show my position on the tariff, and my efforts in behalf of the tariff on certain farm products.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to extend his remarks in the manner indicated. Is there objection?

Mr. TREADWAY. Mr. Chairman, reserving the right to object, may I ask if they are the same remarks that the gentleman asked permission to insert a few moments ago, saying that they had been already once in the RECORD?

Mr. LANKFORD of Georgia. I say to the gentleman that I shall not insert those in the RECORD after he objected to them. I never have tried to do a thing so unfair as that, and the gentleman knows it.

Mr. TREADWAY. These are new remarks?

Mr. LANKFORD of Georgia. Yes.

Mr. TREADWAY. Then we are to have the benefit of new wisdom from the gentleman from Georgia?

Mr. LANKFORD of Georgia. All right; and I will give you some more right now.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LANKFORD of Georgia. The gentleman from New York said that he would like me to show wherein I had ever done anything for the tariff on certain farm products. In that way he brings in issue my efforts in behalf of the tariff bill. I have a right to mention his efforts in behalf of the same tariff bill, and the efforts of other members of the Republican Party who think as he does about the tariff. When I looked over the record of the votes of last week I found that the gentleman from New York [Mr. SNELL] did not vote for a tariff on shingles; I found that the gentleman from New York did not vote for a tariff on lumber or sugar; I found that the gentleman from New York did not vote for the export-debenture plan. I found that the gentleman did not vote either for or against those items, for I found the gentleman was paired, and not only was he paired but he was paired without letting the RECORD show how he stood on any one of those important measures.

Mr. SNELL. Mr. Chairman, will the gentleman yield for a question?

Mr. LANKFORD of Georgia. I yield for a question in connection with your pair only.

Mr. SNELL. It just so happened that I had a daughter in the hospital, and they sent for me to come immediately about four hours before the vote was taken, and I did not have time to arrange for a pair. As far as I am concerned, I vote for a tariff on practically everything that comes on the floor of this House.

Mr. LANKFORD of Georgia. That is enough; I do not care to yield any further. If the gentleman from New York during these two days' time was so busy with a sick daughter—and I sympathize with him—that he could not get in touch with Mr. TILSON or any other Republican and could not get to a telephone to tell anybody that he wanted to be paired in favor of Mr. HAWLEY's and Mr. HADLEY's efforts to get a tariff on lumber, then his answer is good. If he had a chance to get to a telephone, then his answer is not good. I might not think so much

of the gentleman failing to vote on these matters and failing to pair one way or the other on those matters, except for what happened in connection with that tariff bill. Let me paint a picture for you: The Ways and Means Committee room in the House Office Building is just down the hall from where my office is. Last summer about this time or a little later I went down that hall day after day, and I saw the gentleman from Oregon [Mr. HAWLEY] and the gentleman from Washington [Mr. HADLEY] working there through the long hours of the day.

I saw them working there day and night while these other gentlemen, from New England and from New York, all dressed up with high collars and long-tailed coats, were enjoying the relaxations of this Washington society. I saw those men working for a tariff on New England commodities, on New England articles, and articles made throughout the whole Nation, when the Representatives from New England and New York, whom they were trying to take care of, were having a leisure time attending shows or playing golf.

The excellent chairman of the Committee on Ways and Means [Mr. HAWLEY] worked there until he impaired his health trying to bring out a fair tariff bill for the whole country. He brought in a tariff bill that was more than fair to New England and New York; a tariff that not only took care of the whole country, so far as Mr. HAWLEY honestly could, but a tariff that was more than fair from the standpoint of the gentleman from New York [Mr. SNELL] and the gentleman from Massachusetts [Mr. TREADWAY]. The newspapers of the country have piled their abuse on the chairman of the Committee on Ways and Means because he is chairman of the committee sponsoring a bill overloaded for New England and New York, and the gentleman from New York and his crowd and the gentleman from Massachusetts and other gentlemen from the great manufacturing centers escaped the abuse. I see the gentleman from New York [Mr. SNELL] standing. How does the gentleman from New York stand anyhow?

Mr. SNELL. I was for it. As I said, I was paired with a gentleman on your side, the gentleman from Texas [Mr. GARNER]. I was paired for the report.

Mr. LANKFORD of Georgia. Not on lumber or sugar or shingles or the export debenture.

Mr. SNELL. For lumber and shingles.

Mr. LANKFORD of Georgia. Then discharge your pair clerk. [Laughter.] He has done you wrong. You are not paired in the RECORD as either "for" or "against" these articles or items.

Mr. SNELL. I was paired that way.

Mr. LANKFORD of Georgia. The RECORD shows the contrary. Let the RECORD speak.

After Mr. HAWLEY and Mr. HADLEY had rendered yeoman service for you gentlemen from New England and New York, the other day there was proposed a tariff for shingles and lumber, the only things Mr. HAWLEY and Mr. HADLEY were getting out of the bill that is worth while to them, while the New England and New York manufacturing crowds are getting all they ask for, and you, Mr. SNELL, and your crowd from New York and New England tucked your political tails between your hind legs like whipped hound dogs and ran. [Laughter.]

Mr. TILSON. Mr. Chairman, will the gentleman from Georgia yield?

Mr. LANKFORD of Georgia. I can not yield. I have not time. I would yield to my good friend [Mr. TILSON] if it was necessary. I know how he voted and will tell the country for him. There are several New England men like the gentleman from Connecticut [Mr. TILSON] who are brave, true, patriotic, honest men, who stand with their crowd. I will mention particularly not only the leader of the Republican forces, but also the gentleman from New York [Mr. CROWTHER], both of whom voted for tariffs and with their party. Honor to them for being courageous and honest. Let us have a partial roll call here and call the names of TREADWAY and UNDERHILL and WIGGLESWORTH and certain others who deserted their friends and their party. The trouble is that the gentlemen from New England and New York and their crowd got theirs and then were ready to tell the rest of our country to go to the lower regions.

The gentleman from New York [Mr. SNELL] said he is for a tariff on any article where they made out a case. I am reminded of a story that I heard some time ago concerning an incident that happened over in West Virginia, where a new railroad had been built up in the mountains, and the engineer would occasionally pick up the mountaineers and carry them down the mountain without charging them a fare. One day a mountaineer came to him and asked leave to ride on the train—or on the engine. The engineer decided to tease him a little. The engineer said, "Can you not pay me?" The mountaineer

said, "I have no money." The engineer said, "We can not haul people free." The mountaineer said, "I have no money." The engineer said, "Haven't you any chickens or eggs to let me have for fare?" The mountaineer replied, "No." The engineer said, "Haven't you any collateral of any kind?" The man said, "No." The engineer said, "Can't you make a showing of any kind?" Thereupon the mountaineer pulled out a revolver a foot and a half long and stuck it up into the engineer's face and said, "I can make this showing." The engineer said, "The showing is good; climb aboard." [Laughter.]

When the manufacturers go to see Mr. SNELL and those who think like him and exhibit a pocketbook about 9 inches long full of campaign receipts and funds, Mr. SNELL is ready to immediately declare and say, "The showing is good; get aboard." [Laughter.]

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. LANKFORD of Georgia. Mr. Chairman, I ask unanimous consent to proceed for 15 minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LANKFORD of Georgia. Let me say that in tariff legislation and other matters I have always endeavored to let the country know where I stood. I have always tried to stand flat on the ground, with both feet on the ground, and both feet on the same side of the fence. I have no patience with any man who will pair on an important vote and not let the country know where he stands on that thing unless he has not a chance to get in touch with the leaders of the House and have a proper pair made. We should let our folks know where we stand.

Some time ago in my State I went out to the farm of a neighbor, and when we were going along near a fishpond or lake we observed a large hawk attempting to strike something in the lake, on the surface of the water. We wondered what it was, and finally when we got close enough we saw that this hawk was endeavoring to strike a duck on that pond. Every time the hawk would attempt to strike the duck, the duck would turn and dive into the water. When the duck went under the water the hawk would hit the water and fly away. When the duck came up the hawk came down again, the duck would dive again, and the hawk never could catch him. I turned to my neighbor and said, "I understand now as I never did before why a duck is called a duck; it is a duck because a duck ducks." [Laughter.] Because he ducks he is called a duck.

That is simply philosophy. A duck is a duck because a duck ducks; but when the great chairman of the Committee on Rules of the House ducks, I want to know what he is. [Laughter.]

Mr. PARKER. Mr. Chairman, will the gentleman yield?

Mr. LANKFORD of Georgia. Not now.

Mr. PARKER. I will take only a minute.

The CHAIRMAN. The gentleman from Georgia declines to yield.

Mr. LANKFORD of Georgia. I want to know what other folks are who think like the gentleman from New York [Mr. SNELL] thinks and ducks like he ducks. I am going to leave it to their constituents to say what they are. I have an idea that in the future they should be made lame ducks. [Laughter.]

Mr. PARKER. Will the gentleman yield now?

Mr. LANKFORD of Georgia. I will yield for a question—a relevant question.

Mr. PARKER. The gentleman is talking about ducking. Can not the gentleman conceive of reasons why a man must, of necessity, be away when an important vote is being taken, in all fairness?

Mr. LANKFORD of Georgia. I understand that. I have made that as clear as I can.

The gentleman from New York [Mr. SNELL] asked me to tell where I have helped on the tariff bill. I will say to the gentleman from New York [Mr. SNELL] that the Democrats of the House, and many of the Republicans of the House who have voted for the debenture, have been doing all they could to help on the tariff bill. The Democratic Party and the Republican Party both promised to put the farmer on an equality with other business and other enterprises.

Neither party has kept the platform pledge. The President of the United States, that good man of your party who sits yonder in the White House, is embarrassed because men like the gentleman from New York [Mr. SNELL] and other Republicans like him are trying to pass a tariff bill that is not in accordance with the platform promises. When we tried to put the debenture on the tariff bill we were doing all in our power to help tariff legislation and to help secure the passage of a bill

that would be, to a certain extent, a performance of the promises made by the Republican Party and by the Democratic Party; but we could not get enough support. We found many Republicans dodging here and there and not helping us, not letting us know where they stood. We need men who will not duck.

He wiggled in and he wiggled out,
And left the country all in doubt;
Whether the snake that made that track
Was going north or coming back.

Oh, the gentleman from New York [Mr. SNELL] says he does not like me politically. I am glad he does not. If Mr. SNELL liked me politically, I would be like the Irishman. I heard a story of an Irishman one time who was engaged in a conversation with a Frenchman and an Englishman. The Englishman said that if he was not English he would rather be a Frenchman than anything else in the world. The Frenchman said if he were not French he would rather be an Englishman than to be any person in the world. The two turned to Pat and said, "Pat, if you were not Irish, what would you be?" Pat said, "If I was not Irish, I would be ashamed of myself."

If the gentleman from New York [Mr. SNELL] liked me politically, I would be ashamed of myself.

The gentleman from New York [Mr. SNELL] only yesterday brought in a rule to investigate people in this country whom he says are dissatisfied with our Government, but let me say that when the gentleman from New York [Mr. SNELL] smells something that is rotten, it is time for an investigation. The trouble is not with the country. The trouble is not altogether with your party, Mr. SNELL. The trouble is not so much with the people of the country as it is with the gentleman from New York [Mr. SNELL] and other men who believe in legislating for the big rich and letting the poor man go to the mischief. I am in favor of the investigation, but let us begin with the source of the trouble and investigate the men that are causing the trouble. Oh, Mr. SNELL, when you smell something that is not right, do not think that it is the country. It is probably the air changing and you smell your own political breath.

Listen, folks. You can not continue to pass legislation that will take the food out of the mouths of the common people without leaving the common people hungry. You can not leave them hungry without their complaining. You can not take the clothes off the backs of the fathers and mothers and children of the country without leaving them naked and cold, and when you leave them naked and cold they are going to complain. You can not make promises to the farmers and fail to keep those promises without the farmers complaining. You can not pass laws and legislation which causes the farmers to be driven from their homes and their property to be taken away under foreclosure and tell those farmers that the country is prosperous and expect the farmers not to complain. You can not continue to legislate for the wealthy class, the manufacturing class, the big-moneyed class, to the detriment of the poor, without the poor complaining.

When the poor complain they are going to believe that not only the Republican Party but the Democratic Party is unfair and that the Congress is unfair, and they will lose faith in their Government. If you want to find the trouble, look at your own ideas about legislation. We passed a so-called farm relief bill here. What is the result? Farm products are selling lower than ever before. More homes are growing up in weeds, with the windows out and the shutters off, than ever before. There is more wreckage and ruin among the laboring class than ever before. What help is a tariff to a man who has no job and is walking the streets and is hungry and cold. What good is a tariff to a farmer whose farm is gone? You will have more investigations, Mr. SNELL, if you continue it. If you would legislate for your country, legislate for the common folks, for the laboring man, and for the farmer.

They say, "The gold-star mothers are going overseas on a pilgrimage," and yet we are robbing them while they are gone, by an unfair tariff. Oh, we make nice speeches about the boy out yonder, the Unknown Soldier, buried there in Arlington. If that Unknown Soldier should tear that tomb apart and take off the grave clothes and stand forth he would look some of you in the face and say, "Oh, rogues, thieves, liars, hypocrites, murderers, quit talking about me and legislate for my mother, my brothers, and sisters. Legislate for the kind of folks that I come from."

We need investigations, but we do not need to investigate the other fellow so much as we need to investigate ourselves.

Legislate for the homes. Legislate for the mothers. Legislate for the fathers. No more beautiful lines were ever written than:

Be it ever so humble, there is no place like home.

Unless it be those lines by Rudyard Kipling:

Mother o'mine, oh, mother o'mine,
If I was hanged on the highest hill
Mother o'mine, oh, mother o'mine,
I know whose prayers would follow me still.
Mother o'mine, oh, mother o'mine,
If I was drowned in the deepest sea,
Mother o'mine, oh, mother o'mine,
I know whose tears would come down to me.
Mother o'mine, oh, mother o'mine,
If I was damned of body and soul,
Mother o'mine, oh, mother o'mine,
I know whose prayers would make me whole,
Mother o'mine, oh, mother o'mine.

Let me say that regardless of what Mr. SNELL may say about me or what I may say about him—all of which is in good nature and most of that which I have said is the truth [laughter]—let us legislate for the great American people, for the common folks. Let us get the beam out of our own eyes and then we need not worry very much about the mote that is in our brother's eye. [Applause.]

The CHAIRMAN. The Chair will state that when the committee rose yesterday the Clerk had read down to and including line 8, page 4. The Clerk will read.

The Clerk read as follows:

OPERATION AND CONSERVATION OF THE NAVAL PETROLEUM RESERVES

To enable the Secretary of the Navy to carry out the provisions contained in the act approved June 4, 1920 (U. S. C., title 34, sec. 524), requiring him to conserve, develop, use, and operate the naval petroleum reserves, \$175,000, of which \$100,000 shall be available exclusively toward repairs to shut-in wells, naval petroleum reserve No. 1: *Provided*, That out of any sums appropriated for naval purposes by this act any portion thereof, not to exceed \$10,000,000, shall be available to enable the President to protect naval petroleum reserve No. 1, established by Executive order of September 2, 1912, pursuant to the act of June 25, 1910 (U. S. C., title 43, secs. 141-143), by drilling wells and performing any work incident thereto.

Mr. BRITTEN. Mr. Chairman, I reserve a point of order against this paragraph.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BRITTEN. As I understand the language, it is new legislation on an appropriation bill. I want to ask a question or two of the chairman of the committee before making my point of order. My impression is—at least, I have been told—that when the Bureau of the Budget sent a request to the department for this particular authorization or this particular appropriation it embodied a request or a suggestion for an authorization to do the very thing that is now being done by an appropriation in this bill. I would like to ask the chairman of the committee if my information is correct.

Mr. FRENCH. I would say to the gentleman from Illinois that the language in the bill, as it came from the Bureau of the Budget, was as follows:

Provided, That out of any sums appropriated for naval purposes by this act, any portion thereof, not to exceed \$10,000,000, shall be available for expenditure, when approved by the President, for drilling wells in naval petroleum reserve No. 1, including any work connected therewith.

The language we have used in the bill as reported is substantially the same. I think the gentleman will find it is exactly the same in thought, but it is somewhat abbreviated over the language included in the Budget estimate.

Mr. BRITTEN. Am I correct in presuming that when the Director of the Budget sent this to the Navy Department and the department sent it to your committee it did contain a request for an authorization to do the thing you are now doing by appropriation?

Mr. FRENCH. I am not aware of any suggestion other than that contained here. It was stated to our committee at some length what the purpose would be, and the members of the committee are quite familiar with that.

Mr. BRITTEN. The item carried in the bill may have every merit to it; I am not complaining about that, but I have been told that the request for an authorization was deleted by the gentleman's committee or by the Navy Department. Can the gentleman tell the committee whether the request for an authorization was deleted by this committee?

Mr. FRENCH. Let me say that my attention has been directed to the thought that the language I read a moment ago does not contain quite all of the original language that came from the Bureau of the Budget, and if the gentleman will bear with me I will read the entire language:

To enable the Secretary of the Navy to carry out the provisions contained in the act approved June 4, 1920, requiring him to conserve, develop, use, and operate the naval petroleum reserves, \$100,000 for repairs to shut-in wells, naval petroleum reserve No. 1, to remain available until expended, and in addition the Secretary of the Navy may incur obligations and enter into contracts for repairs to shut-in wells to an amount not to exceed \$100,000; and \$75,000 for the operation and conservation of all naval fuel reserves, exclusive of the drilling of any wells or work connected therewith; in all, \$175,000.

Now, then, the language continues with the proviso to which I thought the gentleman had reference. So the entire paragraph will include the language which I have just read and the proviso which I read a moment ago.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. BRITTEN. I yield.

Mr. VINSON of Georgia. This provision of the bill has reference to the Elk Hill Field in California, has it not?

Mr. FRENCH. This refers to naval petroleum reserve No. 1.

Mr. VINSON of Georgia. That is what is known as the Elk Hill field, is it not?

Mr. FRENCH. I prefer to refer to it by the official description, rather than by some popular description, and I am not sure whether the popular description is correct or not.

Mr. VINSON of Georgia. As a matter of fact, some years ago the Navy Department came before the committee and asked for legislation along this identical line.

Mr. JOHNSON of Washington. To which committee did the officials of the Navy Department go—to the Committee on Appropriations or to the Committee on Naval Affairs?

Mr. VINSON of Georgia. The Committee on Naval Affairs. As a matter of fact, the Standard Oil Co. owns a lot of land surrounding these naval reserves, right in the very center, and there was some thought on the part of the Navy Department that the Government might make a swap of land, and also the thought was advanced to have set-off wells.

I know the object and purpose of this legislation and I agree with the chairman of the committee, and even if it were subject to a point of order as being legislation on an appropriation bill, I would be loath to make it; but I think a proviso should be added to the paragraph providing that if any agreement is reached for the conservation of the oil, then this money is not to be expended for drilling these offset wells. In all probability some agreement can be reached with adjacent property owners without any money being expended, and I think it might be possible to accomplish the identical purpose the gentleman has in mind without the expenditure of any money whatsoever. I offer this thought to the gentleman and ask him if he is not willing to put in a proviso providing that if an agreement can be reached between the adjacent property holders and the Government with reference to conservation then none of this money is to become available. In this way you would save perhaps \$10,000,000.

Mr. FRENCH. I would say to the gentleman that the very thought he has suggested is the thought that is in the minds of the officers of the Navy Department to-day, and let me say for the benefit of—

Mr. VINSON of Georgia. If that be true, no harm can be done by the proviso.

Mr. FRENCH. Let me conclude this statement. Naval reserve No. 1 is one of the two reserves in the State of California that actually contains a reserve of oil. The other reserve is thoroughly honeycombed by private holdings upon which drilling has proceeded. Wells are in operation, and offset wells are in operation under lease from the Navy Department upon Navy-owned land. Last year the receipts that were turned into the Treasury aggregated something like \$800,000 from the offset wells on Navy land. Naval reserve No. 1 is better situated, but unfortunately has within it some privately owned land and is surrounded by privately owned land. Some of this area, in fact, most of it, as the gentleman has suggested, is owned by the Standard Oil Co. Private owners are not operating at this time, and the Navy Department would hope that they would not operate, but that this oil would continue to be held as a reserve; but the Navy Department is not able to control the actions of the owners of the private lands. Now, suppose some private owner of land were to begin drilling a well upon land that is adjacent to Navy-owned land, it would be only a question of a short time until the owner of the private land would be pumping oil, part of which would come from the great reservoir under the Navy-owned land.

We think it is only the part of good business to enable the Navy Department, in the event such a crisis as this should be reached, to start immediately the drilling of offset wells. It may be that \$10,000,000 would be insufficient, but it would ade-

quately enable the department, in such an event, to protect the interests of the Government until the Congress could act.

Mr. VINSON of Georgia. I am in accord with the thought that has been expressed by the gentleman, and, of course, this reserve should be conserved and this oil should be kept for the use of the Navy, but why could not the same thing be accomplished if voluntary agreements can be reached by the Navy Department with the adjacent property owners?

I am not opposing the authorization of this expenditure, but I am merely suggesting that in the event private arrangements can be made that this may be done in lieu of spending this money. The only alternative you have under this language is that if any adjacent property holders begin to drill wells, the Government can do likewise. There are no negotiations permissible under this language, and the only alternative you have, if some private holder begins to drill wells, is for the Government to drill wells, and I am offering the thought that you put in a proviso to see, first, if agreement can be reached looking to a general conservation of oil without going to the extreme of drilling wells.

Mr. FRENCH. I may say that informally just the thing is being done that the gentleman proposes, and the Navy Department is not going to subtract any of this money from purposes for which it has been appropriated to use in drilling offset wells unless it may be necessary; but it has seemed to the members of the committee it would be desirable to supplement the informal discussions that are going on to-day by including the proviso we have included here. I see no objection to a proviso that would embody the spirit of the idea proposed by the gentleman from Georgia; but, on the other hand, I do not see that it is necessary or that it adds anything particularly.

Mr. JOHNSON of Washington. There would be just this objection—that the proposal is legislation on an appropriation bill.

Mr. FRENCH. Oh, I think not. If the gentleman will permit, I think this is not legislation; in fact, I would be prepared to argue the question from that standpoint. The language under which the reservation was made certainly gives the department the power to preserve, to protect, and it is certainly not legislation upon an appropriation bill for us to provide money with which that may be done.

Mr. HALE. Will the gentleman yield?

Mr. FRENCH. I shall be pleased to yield.

The CHAIRMAN. If the gentlemen will suspend a moment, the Chair may state that the gentleman from Illinois [Mr. BARTEN] has the floor under a reservation of a point of order.

Mr. BRITTEN. The gentleman from Illinois has reserved the point of order, and I yield to the gentleman.

Mr. HALE. I may say that about two years ago the Navy Department brought to the Committee on Naval Affairs a bill the purpose of which was to accomplish the thing which the Appropriations Committee seeks to accomplish. The bill was referred to a subcommittee of which I happened to be appointed chairman, and we had rather extended hearings. Assistant Secretary of the Navy Robinson appeared before us, and also Admiral Rousseau. We went into the subject quite thoroughly and prepared a new bill with a great deal of care. The bill lay in the Committee on Naval Affairs and was not brought out for certain reasons which then appeared sufficient, and has not been brought forward since; and I may say to the gentleman from Idaho that personally I think the provision in the appropriation bill is admirable. The only criticism I would have is that it does not go far enough. I think, with the gentleman from Georgia, that there should be coupled with it the plan of the subcommittee that heard the matter two years ago, authorizing the exchange of land in other sections in order that the whole situation may be taken care of fully and finally, and the reserve thoroughly protected. It is possible that it can not be protected finally simply by drilling offset wells, and if it is handled in that way it is at the expense of the oil.

Mr. FRENCH. Does not the gentleman think that since the proposition which he recommends is legislation, the committee did the wise thing in omitting to go to the extent which the gentleman says we could have gone?

Mr. HALE. I am not finding any fault with the committee.

Mr. FRENCH. This language will give the department authority to meet the situation temporarily, pending the carrying forward of a well-thought-out program, such as the gentleman refers to.

Mr. HALE. I think the gentleman is right, and I hope soon, through the committee or through the Naval Affairs Committee, the full program will be carried out. I hope it will be.

Mr. FRENCH. In the meantime we should do something to enable the department to meet the emergency.

Mr. BRITTEN. Mr. Chairman, the reason I am reserving this point of order is because I believe this item is of considerable importance. The gentleman from Idaho thinks that \$10,000,000 is merely a starter. It may be that it is. It may lead to \$100,000,000. If that is true, my impression is that legislation of this character should go to the committee which takes care of legislation for the Navy Department.

Now, I would like to read this language from page 9 of the report prepared by the chairman of the Subcommittee on Naval Appropriations:

In the committee's judgment, it is of paramount importance that legislation be enacted at this session that will enable the department to cope with a number of situations that are disturbing and need to be remedied. Simultaneously the existing law on the subject is being reshaped, its ambiguities removed, and appropriate safeguards thrown about its execution.

Now, it is the Committee on Naval Affairs that has charge of legislation of this kind, and should have. I think something should be done about No. 1 reserve. I think there should be legislation authorizing an exchange of land for Government property. If it is proper to go as far as it has gone, I think they might reasonably go a little farther. Let us assent that they are usurping our prerogatives, but let us not make the point of order; let them go far enough so that the Navy Department and the administration will have a free hand in dealing with what appears to be a ticklish situation.

Mr. FRENCH. I do not want to admit for one moment that the extent to which the committee has gone is not in line with the authorization in existing law. In fact, the members of the committee felt that they should not consider and they have not reported language pertaining to the phases to which attention is directed by the gentleman from Illinois, because I think it is clear that that would be legislation.

Further than that, the members of our committee say that it is our duty to go to the extent that it is necessary and to which we feel we have gone, so that it would enable the department to meet the situation in the event of a crisis, pending the time that well-thought-out legislation could be brought out by the gentleman's committee and considered by the Congress.

I do not think it would be desirable for us to open up the whole question and consider it on the floor of the House. I would much prefer to have the gentleman's committee do it with the care that it should have.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. BRITTEN. I yield.

Mr. JOHNSON of Washington. The gentleman is undertaking to assert that the committee has not the right, and yet he admits that it is a stop-gap to hold the situation until the legislative committee can carry that out at length.

Mr. FRENCH. I think that is true.

Mr. JOHNSON of Washington. In my opinion, that makes it legislation, and if we submit to this \$10,000,000 appropriation the next appropriation bill will carry it farther and the Committee on Naval Affairs will have, further, lost its rights. I think the proposal should come from the proper committee.

Mr. FRENCH. I direct the attention of the gentleman to the law itself, which will be found in the United States Code, title 34, section 524. I refer specifically to the language which gives to the Secretary of the Navy power to do the following:

To conserve, to develop, to use, and to operate the same in his discretion.

Under that authority clearly we have the right to make appropriations to enable him to conserve. That is the very essence of the object that we had in mind in carrying some money for the use of the department in administering the law—to conserve the property of the Government, the oil to which that language refers.

Mr. JOHNSON of Washington. Mr. Chairman, if the gentleman thinks that gives specific authority, why specify in exact words to the effect that it shall be available—

To enable the President to protect naval petroleum reserve No. 1, established by Executive order of September 2, 1912, pursuant to the act of June 25, 1910 (U. S. C., title 43, secs. 141-143), by drilling wells and performing any work incident thereto.

If you have blanket authority, why go into detail? In my opinion, that is where the Appropriations Committee runs into the realm of legislation.

Mr. FRENCH. Mr. Chairman, I think the gentleman is in error. The Committee on Appropriations has authority to act within a limited area if it chooses to do so under broad authority covering a wider area. Because we choose to limit appropriations to certain things that seem to the committee most important does not mean that we are exercising legislative

authority, when, as the gentleman suggests, we could have gone farther if we had chosen to do so.

Mr. JOHNSON of Washington. Mr. Chairman, I make the point of order.

The CHAIRMAN. The gentleman will state it.

Mr. JOHNSON of Washington. I believe and state that the language found on page 7, line 3 to line 16, relative to petroleum reserves—

To enable the Secretary of the Navy to carry out the provisions contained in the act approved June 4, 1920 (U. S. C., title 34, sec. 524), requiring him to conserve, develop, use, and operate the naval petroleum reserves, \$175,000, of which \$100,000 shall be available exclusively toward repairs to shut-in wells, naval petroleum reserve No. 1—

is subject to the point of order in that it is legislation on an appropriation bill, and I make the further point of order that the proviso next following is legislation on an appropriation bill, and covers matter under consideration in another committee.

The CHAIRMAN. The gentleman from Washington makes the point of order against the language on page 7, beginning with line 3 and ending in line 16. Does the gentleman from Idaho desire to be heard?

Mr. FRENCH. Mr. Chairman, prior to the making of the point of order, but after the gentleman from Washington had indicated that he possibly would make the point of order, I had referred to the law on which the committee relied in including this language. The chairman of the committee would cite the Chairman of the Committee of the Whole to section 524 of the United States Code, title 34, in which there is the language, to which I referred a few moments ago, which gives to the Secretary of the Navy certain authority touching these areas, which authority includes the authority "to conserve and to develop." I think those are the only two words particularly to which I need direct attention. The object for which these moneys will be expended will be attained in expenditures for these particular purposes. That is all we want to do, and as we see it it is that for which the money ought to be appropriated.

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. FRENCH. Yes.

Mr. VINSON of Georgia. I would like the gentleman to state to the Chairman of the Committee of the Whole under which act this land was brought into the naval reserve. Was it not, as a matter of fact, brought into the naval reserve under the act of 1912? Having been brought under the act of 1912, the Secretary has no more authority than was conveyed in the act of 1912 by which the land was brought into the naval reserve from the public domain?

Mr. FRENCH. Oh, there can be no merit in the suggestion of the gentleman, it seems to me, because the Congress itself has for certain purposes added to the authority of the Secretary of the Navy or restated the authority in the language of the act of June 4, 1920, and it is that language to which I refer and from which I have quoted, and we rely upon authority in existing law for the action of our committee.

Mr. JOHNSON of Washington. Mr. Chairman, I find on page 9 of the report of the committee, prepared by the gentleman from Idaho [Mr. FRENCH], the following language:

The status of the reserves is given on pages 20 and 21 of the hearings. Another picture is given on pages 876-880. The attention of Members earnestly is invited to these hearings because the question is one of vital and national concern. Under date of March 21, 1928, the committee urged the need of legislation touching the naval petroleum reserves in these words:

"In the committee's judgment, it is of paramount importance that legislation be enacted at this session that will enable the department to cope with a number of situations that are disturbing and need to be remedied. Simultaneously the existing law on the subject should be reshaped, its ambiguities removed, and appropriate safeguards thrown about its execution."

There is a statement from the Committee on Appropriations as to the need for legislation, and here in the appropriation bill we find the beginning of the legislation which is said to be needed. Under the Budget system an appropriating committee was not to place legislation on an appropriation bill, and here it is in the bill, and mentioned in the committee's own report.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Washington makes the point of order on the paragraph beginning on line 3, page 7, down to and including line 16, on the ground that it is new legislation on an appropriation bill. The gentleman from Idaho [Mr. FRENCH] relies upon two sections as authorization for this appropriation. The first one is the act of June 25, 1910, referred to on line 14, page 7, being

title 43, sections 141-143, United States Code, and the second statute is the act approved June 4, 1920, title 34, section 524, of the United States Code. The first-named statute, namely, sections 141-143, title 43, of the Code, seems to the Chair to deal almost exclusively with the matter of withdrawal of public land for purposes of naval petroleum reserves.

The other act referred to—namely, section 524 of title 34, United States Code, provides that—

The Secretary of the Navy is directed to take possession of all properties within the naval reserves as are or may become subject to the control and use by the United States for naval purposes, and on which there are no pending claims or applications for permits or leases under the provisions of sections 223-229 of title 30, Mineral Lands and Mining, or pending applications for United States patent under any law; to conserve, develop, use, and operate the same in his discretion, directly or by contract, lease, or otherwise, and to use, store, exchange, or sell the oil and gas products thereof, and those from all royalty oil from lands in the naval reserves, for the benefit of the United States.

The Chair thinks that statute is amply broad to sustain the language from line 3 to line 9. In fact, the language from line 3 down to and including the words "numbered 1" on line 9 is almost identical with the language of the statute which the Chair has just read, and in the opinion of the Chair is sufficient law to authorize this appropriation under which the Secretary of the Navy can conserve, use, and operate naval petroleum reserves. Therefore, as to the first point of order made by the gentleman from Washington [Mr. JOHNSON] against the language down to and including "numbered 1," on line 9 of page 7, the Chair overrules the point of order.

However, as to the latter part of the proviso, beginning on line 9, the Chair does not believe that either of the two statutes cited authorizes the appropriation proposed here to enable the President to drill wells on these reserves. The Chair thinks that under title 34, section 524, an appropriation might be made to permit the Secretary of the Navy to drill wells, but the Chair does not believe that the statutory authority given to the Secretary of the Navy is sufficient to authorize an appropriation placing this power directly and solely in the President to drill wells on the naval reserves. That is, you can not usurp by legislation on an appropriation bill powers specifically granted by statute to the Secretary of the Navy and place them directly in the President in an appropriation bill. Inasmuch as the point of order was made against the entire section, the Chair therefore sustains the point of order against the entire section.

Mr. FRENCH. Mr. Chairman, I offer an amendment on page 7, beginning on line 1 and running through the paragraph, substituting the words "Secretary of the Navy" instead of the word "President" in line 11.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Idaho.

The Clerk read as follows:

Amendment offered by Mr. FRENCH: Page 7, beginning with line 1, insert:

"OPERATION AND CONSERVATION OF THE NAVAL PETROLEUM RESERVES"

"To enable the Secretary of the Navy to carry out the provisions contained in the act approved June 4, 1920 (U. S. C., title 34, sec. 524), requiring him to conserve, develop, use, and operate the naval petroleum reserves, \$175,000, of which \$100,000 shall be available exclusively toward repairs to shut-in wells, naval petroleum reserve No. 1: *Provided*, That out of any sums appropriated for naval purposes by this act any portion thereof, not to exceed \$10,000,000, shall be available to enable the Secretary of the Navy to protect naval petroleum reserve No. 1, established by Executive order of September 2, 1912, pursuant to the act of June 25, 1910 (U. S. C., title 43, secs. 141-143), by drilling wells and performing any work incident thereto."

Mr. JOHNSON of Washington. Mr. Chairman, I make a point of order against the second proviso, because the language—

That out of any sums appropriated for naval purposes by this act any portion thereof, not to exceed \$10,000,000, shall be available to enable the Secretary of the Navy to protect naval petroleum reserve No. 1—

is carried without regard to the other reserves to be protected. That is legislation. In my opinion, it takes considerable imagination to bring that under the rule under which the Committee on Appropriations operates.

The CHAIRMAN. What is the gentleman's point of order?

Mr. JOHNSON of Washington. That it is legislation on an appropriation bill.

Mr. FRENCH. Mr. Chairman, just a word, because I think my statement made a moment ago will answer the point of order just made.

In the language which I now propose I substitute "the Secretary of the Navy" for "the President." This change will ac-

complish the end the committee had in mind. Relying upon the general authority to which I referred a moment ago in my general statement on the subject when the point of order was first made, as to the language read by the chairman of the committee, I submit that the authority in the amendment is included in the authority in the law.

Mr. BRITTEN. I would like to suggest that in order to make the language accord with that of the statute itself, it might be well in line 12 to change the word "protect" for the word "conserve."

I do not think the word "protect" is carried in the statute itself. It may be. It would not change the effect of the gentleman's desires.

Mr. FRENCH. Mr. Chairman, I think, generally speaking, the two words might be interchangeable. Here I submit, however, that probably in the matter of that which is within the reserve itself, the word "protect" would probably be better than the word "conserve," and unless the gentleman from Illinois [Mr. BRITTEN] insists, I should prefer to let the language remain.

Mr. BRITTEN. I understand the Chair is ready to rule.

The CHAIRMAN. The Chair is ready to rule. The Chair is of the opinion that the act of June 4, 1920, United States Code, title 34, section 524, is amply broad to provide authorization for the appropriation carried in the proviso beginning in line 9; and, for reasons stated in the recent ruling of the Chair, the Chair overrules the point of order.

Mr. MCCLINTIC of Oklahoma. Mr. Chairman, I offer an amendment to the amendment.

The CHAIRMAN. The gentleman from Oklahoma [Mr. MCCLINTIC] offers an amendment to the amendment, which the Clerk will report.

The Clerk read the amendment, as follows:

Amendment offered by Mr. MCCLINTIC of Oklahoma: Add at the end of the section, after line 16, the following:

"*Provided*, That no part of the sum made available for the protection of this property shall be expended if a satisfactory agreement can be made with adjoining landowners to not drill offset wells for the purpose of producing oil."

Mr. FRENCH. Mr. Chairman, I shall be glad to accept the amendment offered by the gentleman from Oklahoma [Mr. MCCLINTIC].

Mr. PALMER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. Does the gentleman from Oklahoma [Mr. MCCLINTIC] desire to be heard on the amendment offered by him?

Mr. MCCLINTIC of Oklahoma. Mr. Chairman, I think the amendment should be there. I have talked it over with the chairman of the committee, and he is in accord with my views, and I do not care to take up further time of the House.

The CHAIRMAN. The gentleman from Missouri [Mr. PALMER] is recognized.

Mr. PALMER. Mr. Chairman and gentlemen, it seems to me this is bad legislation. I can not imagine why Congress should side-step its duties and delegate them to certain agencies. If it was legislation in the name of the President it is certainly legislation in the name of the Secretary. I think this is bad legislation. We are simply delegating away our authority. I can not imagine any emergency that might arise whereby this House is not amply protected to take care of it, so, why delegate such authority as this? I think this is dangerous legislation. The entire section should be stricken out, from line 3 to line 16.

Mr. JOHNSON of Washington. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman.

From time to time, although I am not a strict parliamentarian, I find items in each and all of these appropriation bills which smack decidedly of legislation. Frequently they seem to be necessary, but nevertheless the Appropriations Committee, when it was enlarged, agreed not to offer legislation. But they do it, and my experience is that the members of the Appropriations Committee, safe in their power, understand each other so well that when they have concluded in their own minds that anything which they offer in any of their bills is not legislation, then it is not legislation. That idea is growing and will grow year after year. No one is supposed to object.

Just now, in the paragraph under discussion, the word "President" has been changed to the word "Secretary," and that change, according to the ruling of the Chair, has changed the paragraph so that it is not legislation. However, Members of the House generally, who are not members of this great Appropriations Committee, might reflect upon this report of that committee, and as they reflect upon it they may wonder what will ever become of it. I quote from the report:

In the committee's judgment it is of paramount importance that legislation be enacted at this session that will enable the department to cope with a number of situations that are disturbing and need to be remedied. Simultaneously, the existing law on the subject should be reshaped, its ambiguities removed, and appropriate safeguards thrown about its execution.

What will become of the suggestion? In the meantime a \$10,000,000 appropriation is being made, and I think that we may safely conclude that no separate legislation of the kind that the Appropriations Committee tells the rest of us that is needed will be attempted. One committee does the work of the other.

Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. The question is on the amendment to the amendment offered by the gentleman from Oklahoma.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. FRENCH. Mr. Chairman, I ask unanimous consent to correct the spelling of the word "appropriate" in line 9.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The Clerk read as follows:

BUREAU OF NAVIGATION

RECREATION FOR ENLISTED MEN, NAVY

For the recreation, amusement, comfort, contentment, and health of the Navy, to be expended in the discretion of the Secretary of the Navy, under such regulations as he may prescribe, \$400,000: *Provided*, That the amount paid from this appropriation for personal services of field employees, exclusive of temporary services, shall not exceed \$35,000.

Mr. FRENCH. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Idaho [Mr. FRENCH] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. FRENCH: Page 7, line 22, strike out the dollar sign and the figures "400,000" and insert in lieu thereof "\$732,000."

Mr. FRENCH. Mr. Chairman, I think a very brief explanation is due on account of the amendment I have just offered.

The chairman of the committee has been advised that Budget estimates are on the way, although they have not yet been received by the House, raising the figure to \$732,000. In other words, adding \$332,000 to the item for the recreation, amusement, and comfort of enlisted men.

The particular object that the President has in mind in recommending the item is that upon the ships of the Navy equipment may be installed to take the place of the silent moving-picture equipment that is upon our ships to-day and to substitute equipment that will provide for movietones.

No one, unless he has had the privilege to be present personally with the enlisted men or has heard the naval officers as they have talked about the enlisted men, can appreciate the comfort that the enlisted men receive through the recreational facilities furnished upon shipboard and in the different naval stations. It means a tremendous amount not only for the comfort, but for the peace of mind, for the discipline of personnel, for the prevention of desertion, and for general well-being. Your committee has been told that the silent screen does not have the attraction that it had before the movietone was developed; that the men do not care to attend; that they become restless, and that whenever they can they like to go ashore and attend something that is up to date. More than that, we are told it is almost impossible to obtain films of the old type that are presentable and desirable for exhibition on the ships. We are told that this amount of money will be adequate, together with the supplemental amounts that will go to it through returns from the profits of ship's stores, to make the equipment fairly complete during the coming fiscal year.

The members of your committee feel that it is a most desirable thing, that means much for the comfort and the highest well-being of the men, to provide adequate recreation for them when they are in the naval service.

Mr. STAFFORD. Will the gentleman yield?

Mr. FRENCH. I yield.

Mr. STAFFORD. Is the gentleman in a position to state how much is planned to be expended for equipment and how much for other purposes? Is it the intention to expend the additional amount that the gentleman has, \$332,000, for equipment?

Mr. FRENCH. That part will all be expended for equipment for the work of installation and probably some for the films that will be purchased in carrying on the work.

Mr. STAFFORD. Is this total amount of \$732,000 to be used, generally speaking, for just cinematographs?

Mr. FRENCH. Oh, no. The sum of \$400,000 the bill has carried for years for recreation, for amusement, and for wholesome activities in which the men can engage. The additional amount of \$332,000 is for the movietones.

Mr. STAFFORD. Of course, some of this fund, I surmise, is used for the purpose of recreation on land in connection with the entertainment of the enlisted forces on land?

Mr. FRENCH. It is in part used for that.

Mr. STAFFORD. As I recall, the Army bill appropriates a large sum of money for hostesses, for providing for the maintenance of hostesses to provide for the entertainment of the enlisted personnel.

Mr. FRENCH. The bill does not carry any money for that particular purpose.

The CHAIRMAN. The time of the gentleman from Idaho [Mr. FRENCH] has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for five minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. FRENCH. This is money that may be expended for every purpose—for the comfort and entertainment of the enlisted men, either afloat or ashore.

Mr. STAFFORD. Has the gentleman any statement, as shown by the hearings, of how much was expended on land and how much at sea?

Mr. FRENCH. I think we have not divided it in that way. For the most part it is used afloat, because when the men are ashore there are shows available, there are entertainments available, and it is more necessary to care for the men while they are afloat.

Mr. STAFFORD. Can the gentleman state how much it is proposed to allot per vessel for this character of entertainment?

Mr. FRENCH. The new money, as I recall the estimates off-hand, is upon the basis of \$4,800 for each battleship for installation of movietone equipment. Other ships could be accommodated for \$1,500. Then there would be those in between the smaller ships and the battleships, which would require from \$2,000 to \$3,000. However, \$4,800 is the largest amount for any one ship.

Mr. STAFFORD. There is no intention on the part of the committee to limit this fund so that the jackies can not have the benefit of the comic operas now being reproduced and some of the other attractive productions which are now being produced in Washington.

Mr. FRENCH. The Navy Department has an arrangement with the different concerns through which it receives the pick of all that is offered. More than that, so far as the exhibitions at sea are concerned, the companies are good enough to grant them the privilege of making exhibitions before the pictures are released on shore.

Mr. STAFFORD. What I am more concerned about is that there is not going to be any strict censorship as to the character of films to be shown.

Mr. FRENCH. Of course, there is always censorship exercised touching all exhibitions and all shows, so far as that is concerned, which are under the Navy Department, but the members of the committee are not advised as to just what lines are drawn.

Mr. OLIVER of Alabama. It is well to state in this connection that the amount which the gentleman has referred to does not represent the total expenditure for that purpose.

Mr. FRENCH. That is correct.

Mr. OLIVER of Alabama. Because the men themselves contribute largely to the fund that purchases the films?

Mr. FRENCH. That is correct.

Mr. TABER. They are assessed 1 cent a day and they expect to be assessed a cent and a half under this arrangement.

Mr. STAFFORD. Then what would be the total amount available for this service? The country would like to know just how much money is being spent for the recreation and entertainment of the enlisted personnel?

Mr. FRENCH. I would say it will be somewhat over \$1,000,000 next year.

Mr. MORTON D. HULL. Does this include the student sports at Annapolis?

Mr. FRENCH. No; it does not.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Idaho.

The amendment was agreed to.

The Clerk read as follows:

GUNNERY AND ENGINEERING EXERCISES, BUREAU OF NAVIGATION

For trophies and badges for excellence in gunnery, target practice, engineering exercises, and for economy in fuel consumption, to be awarded under such rules as the Secretary of the Navy may formulate;

for the purpose of recording, classifying, compiling, and publishing the rules and results; for the establishment and maintenance of shooting galleries, target houses, targets, and ranges; for hiring established ranges, and for transporting equipment to and from ranges; entrance fees in matches for the rifle team, and special equipment therefor, \$46,950.

Mr. BRITTEN. Mr. Chairman, I move to strike out the last word for the purpose of asking a question of the chairman of the subcommittee. I am of the opinion that this amount has been reduced by \$4,750, which \$4,750 was carried in the request of the Bureau of the Budget for an appropriation to make certain repairs to the target ranges at Guantanamo. I will ask the chairman if I am correct in that?

Mr. FRENCH. The gentleman is correct in that. The reason the committee subtracted that amount was because there is a Navy board at Guantanamo now making a study, and it did not seem good judgment to go ahead with appropriations to care for a subject that is being studied by a board and as to which, probably before long, definite information can be had.

Mr. BRITTEN. Then, of course, the gentleman's committee will reconsider this item when it is presented in the appropriation bill next year, with a view of providing every possible facility and means for improving our target practice at Guantanamo?

Mr. FRENCH. The members of the committee realize the importance of it, and without undertaking to commit any committee a year from now I beg to say that the members of the present committee are sympathetic with the general plan of the work and the project at Guantanamo.

The pro forma amendment was withdrawn.

The Clerk read as follows:

INSTRUMENTS AND SUPPLIES, BUREAU OF NAVIGATION

For supplies for seamen's quarters; and for the purchase of all other articles of equipment at home and abroad; and for the payment of labor in equipping vessels therewith and manufacture of such articles in the several navy yards; all pilotage and towage of ships of war; canal tolls, wharfage, dock and port charges, and other necessary incidental expenses of a similar nature; services and materials in repairing, correcting, adjusting, and testing compasses on shore and on board ship; nautical and astronomical instruments and repairs to same; libraries for ships of war, professional books, schoolbooks, and papers; maintenance of gunnery and other training classes; compasses, compass fittings, including binnacles, tripods, and other appendages of ship's compasses; logs and other appliances for measuring the ship's way and leads and other appliances for sounding; photographs, photographic instruments and materials, printing outfit and materials; music and musical instruments; and for the necessary civilian electricians for gyro-compass testing and inspection; in all, \$592,000: *Provided*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for clerical, drafting, inspection, caretaker (chronometer), and messenger service for the fiscal year ending June 30, 1931, shall not exceed \$34,000: *Provided further*, That in addition to the amount herein appropriated the Secretary of the Navy may prior to July 1, 1931, enter into contracts for the procurement of instruments and supplies under this heading to an amount not in excess of \$120,000.

Mr. BRITTEN. Mr. Chairman, I move to strike out the last word for the purpose of asking a question of the chairman of the subcommittee. The proviso on page 10, authorizing an appropriation of \$120,000 for certain instruments and supplies that are definitely carried in the major portion of the section, is not just understood by me. I would like to ask the chairman of the subcommittee why it was necessary to appropriate specifically \$120,000 for supplies and instruments already carried in the main language of the bill?

Mr. FRENCH. In reply to the gentleman's inquiry, I would say that just before the committee reported this bill supplemental estimates came to the Congress in the amount of \$120,000 for the purchase and installation of three gyro-compasses upon three of our battleships. We were told that at the time the estimates were prepared the tests were not sufficiently definite to permit the Navy Department to feel justified in making estimates. However, the tests have been so successful that the department believes a mistake would be made not to provide for these instruments. I would particularly point out the great aid that would be given in gunnery if the ships could be equipped with this particular type of gyro-compass.

Mr. BRITTEN. I understand the principle of the thing and I understand the object to be accomplished. It is to purchase \$120,000 worth of gyro-compasses, but what I fail to understand is why the same result could not have been accomplished without the proviso but by merely adding the \$120,000 carried in the proviso to the \$592,000 carried in the bill for instruments and supplies. A gyro-compass is an instrument or supply.

Mr. FRENCH. I would say that the department is not ready at this time to spend the money, but can handle the work very nicely by making a contract and the appropriation would actually be handled later.

I would say to the gentleman that a great deal of the business of our country is handled in this way; in fact, on aviation alone, to go to another item, we include similar authority for \$10,000,000 worth of aircraft, saving the necessity of putting the burden upon the Treasury now that a direct appropriation would entail. In a few instances we have done just as we have done with respect to this item.

Mr. BRITTEN. But what the bill is doing to-day is to appropriate \$592,000 for instruments and supplies, and then it says:

Provided, That not to exceed \$120,000 is hereby appropriated for instruments and supplies.

Mr. FRENCH. No; it states that this is in addition to the amount appropriated.

Mr. BRITTEN. Yes; that is true, that another \$120,000 is hereby appropriated for instruments and supplies. I can not understand why the same result would not be accomplished by increasing the amount \$120,000 and doing away with the proviso.

Mr. FRENCH. That could be done, but that would add that much to the appropriation, whereas the department is not ready at this time to pay the money. The money will not be needed now, and the item can be cared for later.

Mr. BRITTEN. Then, for bookkeeping purposes, it is the desire to show that this \$120,000 appropriated in the present bill will not be included in the total amount of the appropriation for this year; is that right?

Mr. FRENCH. As a matter of policy, for a good many years a number of sums have been deferred where authorizations for contract purposes could as well be made. The Congress could appropriate the money and let it remain in the Treasury and then have it drawn upon at the end of the fiscal year or the year following, whereas the other policy could be followed of providing money for the items that would need to be met by the payment of money during the year and then provide contract authorizations to meet the items that would not be delivered until a later time.

Mr. STAFFORD. Mr. Chairman, I rise in opposition to the pro forma amendment.

I think the committee is to be commended for having made this a specific item, because this will enable the committee and the House, as the gentleman has explained, to follow this item next year and to see whether this sum of money has been used for this special purpose and how much has been used for this purpose, whereas if it were lumped, as suggested by the chairman of the Committee on Naval Affairs, the attention of the Committee on Appropriations would not be attracted to the specific item.

The pro forma amendment was withdrawn.

The Clerk read as follows:

NAVAL RESERVE

For expenses of organizing, administering, and recruiting the Naval Reserve and Naval Militia; pay and allowances of officers and enlisted men of the Naval Reserve when employed on authorized training duty; mileage for officers while traveling under orders to and from training duty; transportation of enlisted men to and from training duty, and subsistence and transfers en route, or cash in lieu thereof; subsistence of enlisted men during the actual period of training duty; subsistence of officers and enlisted men of the Fleet Naval Reserve while performing authorized training or other duty without pay; pay, mileage, and allowances of officers of the Naval Reserve and pay, allowances, and subsistence of enlisted men of the Naval Reserve when ordered to active duty in connection with the instruction, training, and drilling of the Naval Reserve; pay of officers and enlisted men of the Fleet Naval Reserve for the performance of drills or other equivalent instruction or duty, or appropriate duties, and administrative duties, exclusive, however, of pay, allowances, or other expenses on account of members of any class of the Naval Reserve incident to their being given flight training unless, as a condition precedent, they shall have been found by such agency as the Secretary of the Navy may designate physically and psychologically qualified to serve as pilots of naval aircraft, \$4,600,000, of which amount not more than \$160,000 shall be available for maintenance and rental of armories, including pay of necessary janitors, and for wharfage, not more than \$79,578 shall be available for clerical and messenger services for Naval Reserve administration in naval stations, and districts for the fiscal year ending June 30, 1931, not less than \$801,903 shall be available for pay, allowances, and other expenses herein provided for of Naval Reserve personnel on account of members of any class of such reserve engaged in aviation training or duty, not more than \$882,931 shall be available, in addition to other appropriations, for

aviation material, equipment, fuel, and rental of hangars, and not more than \$723,867 shall be available, in addition to other appropriations, for fuel and the transportation thereof, and for all other expenses in connection with the maintenance, operation, repair, and upkeep of vessels assigned for training the Naval Reserve.

Mr. BRITTEN. Mr. Chairman, I desire to reserve a point of order on the language from line 6 to line 10, on page 12, after the figures "1931," in line 6:

Not less than \$801,903 shall be available for pay, allowances, and other expenses herein provided for of Naval Reserve personnel on account of members of any class of such reserve engaged in aviation training or duty.

Mr. Chairman, in the first place, this is distinctly new language in an appropriation bill. It is new legislation, and it has a dual effect on the general appropriation carried for the Naval Reserve force scattered throughout the United States.

This is not a limitation on the amount to be expended for aviation, so it can not be construed as a saving of any amount because it is practically the amount that was carried in the bill last year, if I am not mistaken—eight hundred and one thousand and some odd dollars; and it has this effect: By specifying that not less than \$801,000 shall be expended on aviation in the reserve force of the Navy, through curtailment in another direction of the same paragraph or section, it will do away with a lot of ship training by the reserve; a lot of cruising by the reserve; in other words, the cruising hours of many members of the reserve force will be changed by this language; and I am of the opinion, Mr. Chairman, that it should not be in the bill. It is legislation on an appropriation bill, and I intend to make a point of order on the language, although I will reserve the point of order if the gentleman desires to be heard.

Mr. STAFFORD. Before the gentleman proceeds with his point of order, let me inquire whether it was the deliberate purpose of the gentleman to say "not less than." Last year the language for the existing appropriation was "not more than" so much shall be used, and so forth. Here we place no limitation at all, whereas last year the language was that not more than this amount should be available for the purpose.

Mr. BRITTEN. Mr. Chairman, I make the point of order.

Mr. STAFFORD. Will the gentleman kindly respond to my question before the gentleman from Illinois presses his point of order, as to whether it was the deliberate purpose to use the word "less" instead of "more"?

Mr. FRENCH. Yes; I would say it was the thought of the committee we ought to include the language we have proposed here.

Mr. STAFFORD. And not place any limit on the amount that may be expended?

Mr. FRENCH. No; the estimates that have come to the committee indicate the general purposes for which the moneys are to be expended.

Mr. STAFFORD. But I direct the gentleman's attention to the word "less," which in the existing appropriation act is "more." Here you have no limit at all on the amount that may be expended. You say not less than \$801,000. Was it the deliberate purpose of the committee to have the sky the limit?

Mr. FRENCH. It was the deliberate purpose of the committee to place the language in the bill that we did, and I think I can indicate to the gentleman the reason this should be done.

Mr. STAFFORD. And use the word "less" instead of "more," so there will be no limit at all?

Mr. FRENCH. So there will be no limit within the total appropriation we are making for this general purpose.

Mr. BRITTEN. Will the gentleman yield for one word?

Mr. FRENCH. Certainly.

Mr. BRITTEN. I would like to suggest that under this new legislative language in the bill the entire amount of \$4,600,000 provided for on page 11 could be expended for naval aviation. I make the point of order.

Mr. FRENCH. Mr. Chairman, it seems to me that the point of order is not sound. The entire language of the paragraph rests upon the law providing for the Naval Reserve. As a part of the authority conferred by the general law is authority to appropriate for aviation training or duty in the Naval Reserve.

The CHAIRMAN. Will the gentleman cite the statute upon which he relies?

Mr. FRENCH. It is the act of February 28, 1925, to which I refer. In a moment I will furnish the code reference.

The CHAIRMAN. Does the gentleman have at hand the language upon which he relies for the authority for this legislation?

Mr. FRENCH. Yes. It is section 751, title 24, of the code. The entire act covers a number of pages, and it would take rather a long time to read the entire provision of law on that subject.

The CHAIRMAN. The Chair is interested only in the language relating to this paragraph, particularly as to the Naval Reserve referred to on line 8, which is included in the language covered by the point of order.

Mr. FRENCH. The first section of the act which provides for organization and creation of the Naval Reserve contains the language in section 751. That provides for the creation and maintenance of the Naval Reserve and Marine Corps Reserve.

The CHAIRMAN. That merely provides for the organization of the Naval Reserve.

Mr. FRENCH. I think it includes the whole thing. Section 759 provides for the officers and enlisted personnel of the Naval Reserve, and if the Chair will turn to section 781 he will find language that provides for training.

The CHAIRMAN. Does the gentleman from Idaho contend that the provisions in section 781 apply to this paragraph?

Mr. FRENCH. I think there is no question but that it does embrace the Fleet Naval Reserve and training provided for in the language to which the point of order has been made.

The CHAIRMAN. The Chair is interested in any particular language that provides for the training of the Naval Reserve—whether the language is broad enough to cover the training to which the point of order has been made.

Mr. FRENCH. The training provided for here is the general training providing for the Naval Reserve, and in the judgment of the members of the committee contains the language that I have in mind.

Now, it is under that authority that the men are trained for aviation duty, under the designation for that duty by the Secretary of the Navy.

The CHAIRMAN. The Chair would like to inquire of the gentleman from Idaho if there is not a distinction between the Naval Reserve and the Fleet Naval Reserve? The Chair's attention is called to a statute dealing solely with the Fleet Naval Reserve, while the language of the bill refers to the whole Naval Reserve.

Mr. FRENCH. Not necessarily. The reserves are divided into three classes—the Fleet Naval Reserve, the Volunteer Naval Reserve, and the Merchant Marine Naval Reserve—and these are part of the Naval Reserve.

The CHAIRMAN. The provision to which the point of order is made applies to the Naval Reserve. The gentleman from Idaho [Mr. FRENCH] has cited the Chair to a provision dealing solely with the Fleet Reserve, which is only one of the three classes of the Naval Reserve. If the gentleman can cite the Chair to language comparable to that which he has read which applies to the whole Naval Reserve the Chair would think it broad enough to warrant the provision. In other words, the Chair does not think that the language cited from the provision with reference to the Fleet Naval Reserve is applicable to a provision dealing with all classes of the Naval Reserve. The Chair is interested in having cited language from the statute applying to the training of the Naval Reserve as a whole, if the gentleman can cite the Chair to such language.

Mr. FRENCH. Section 751, which is the first section of the general provisions, provides that the Naval Reserve—and that includes all—shall be a component part of the United States Navy and shall consist of three classes, namely, the Fleet Naval Reserve, the Merchant Marine Naval Reserve, and the Volunteer Naval Reserve. All would be embraced under the one general head, "Naval Reserve." I think that meets the situation in the mind of the Chair.

The CHAIRMAN. If the gentleman will note the language to which the point of order has been made it reads as follows:

Not less than \$801,903 shall be available for pay, allowances, and other expenses herein provided for of Naval Reserve personnel on account of members of any class of such reserve engaged in aviation training or duty.

The gentleman from Idaho has cited the statute which creates three different reserves, and this provision applies to the whole Naval Reserve. The statute as to training which the gentleman has read to the Chair applies only to the Fleet Naval Reserve. If, as the gentleman states, there are three classes, then plainly it seems to the Chair that the Chair ought to be cited to language broad enough to provide for aviation training of all classes of the Naval Reserve, since the provision objected to covers all classes.

Mr. FRENCH. I think that the language carried in the bill is sustained by the first section. The language of the bill provides for \$801,903, which shall be available for pay, allowances, and other expenses herein provided for of Naval Reserve personnel on account of members of any class of such reserve engaged in aviation training or duty. In other words, the words "any class," hark back to the provision in section 751 wherein the

money could be expended either for those who might be in the Fleet Naval Reserve, or the Merchant Marine Naval Reserve, or the Volunteer Naval Reserve. As a matter of fact, there are none that would be within that middle group—the Merchant Marine Naval Reserve—although there might be some from both of the others.

Mr. BRITTEN. Mr. Chairman, will the gentleman yield?

Mr. FRENCH. Yes.

Mr. BRITTEN. My only object in making the point of order on this amount of \$801,903, or the inverted restriction, is that it is not desired by the Navy Department, and it is not desired by the Bureau of the Budget. It is new legislation on an appropriation bill, incorporated in the bill by the subcommittee of the Committee on Appropriations. I make the point of order that it is new legislation on an appropriation bill.

Mr. FRENCH. Mr. Chairman, I think the question rests very squarely upon section 751 to which I have referred. Again referring to the language, we provide a limitation that not less than a certain amount shall be paid on account of expenses of personnel on account of members of any class of such reserve engaged in aviation training or duty. Suppose we had carried no limitation whatever. Would anyone question that the money should not be expended for these particular purposes? I do not think the gentleman from Illinois [Mr. BRITTEN] would even contend that that is the case. Clearly, it can be expended for any of these groups. If it can be expended for any of these groups, it certainly is within the power of the committee to include language that would show what groups receive the money and what amount of money could be expended for each particular group. For instance, the committee chose not to include a single dollar for the Merchant Marine Naval Reserve. Clearly we had a right to do that. As we turn to these other two, one the Volunteer Naval Reserve and the other the Fleet Naval Reserve, certainly it seems that if the committee has the power to make appropriations for both of these groups, and I do not think the gentleman from Illinois would challenge that, then the committee has the authority to carry language not subject to the point of order that would provide money for the Fleet Naval Reserve or for the Volunteer Naval Reserve, or to place a limit either below which or above which the moneys might be expended.

Mr. BRITTEN. Mr. Chairman, will the gentleman yield?

Mr. FRENCH. Yes.

Mr. BRITTEN. Has the gentleman cited any existing law or authorization which provides for the aviation training of the reserve force?

Mr. FRENCH. Certainly I did. I cited the language under which training should be in such directions as may be prescribed by the Secretary of the Navy, and the Secretary of the Navy has provided for this type of training.

Mr. BRITTEN. There is no aviation training provided for under existing law for the reserve force at any place.

Mr. HOUSTON of Hawaii. Mr. Chairman, will the gentleman yield?

Mr. FRENCH. Yes.

Mr. HOUSTON of Hawaii. Has the chairman of the committee analyzed those figures to show how many men of that Fleet Naval Reserve must be engaged in the 15 days' training? That perhaps will give the reason for the "not less than."

Mr. FRENCH. The question the gentleman raises is a very interesting one, but I do not think it is germane to this particular point.

Mr. HOUSTON of Hawaii. I simply thought if there was a certain number of personnel that had to receive this training as per statute for a period of 15 days, then there could be a reason for providing that not less than a certain sum, and so forth.

Mr. FRENCH. I have tried to avoid indicating the reason why we felt it necessary to make this limitation, not that I do not want to make a statement to the House why, but because we are now considering the question whether or not the language is subject to a point of order. Therefore it seems proper that I should now discuss the effect of the language rather than to make an argument justifying the course which the committee has followed. I should be glad to make that explanation at the proper time.

The CHAIRMAN. The Chair does not think that the language can be sustained as a limitation. Unless the gentleman from Idaho can cite to the Chair other statute, the Chair is ready to rule.

Mr. FRENCH. Does the Chairman question—

The CHAIRMAN. The Chair will hear the gentleman.

Mr. FRENCH. I contend that we have the right to make the appropriation, and that we have the right to say that \$882,931 shall be appropriated for this specific purpose. Since we have provided the entire amount, we have the right to say that the

entire amount shall be used for this particular purpose, so far as the question of germaneness is concerned.

The CHAIRMAN. The Chair does not regard this as a limitation. The only provision which the gentleman from Idaho has called to the attention of the Chair which provides for training is the language in title 34, section 781, of the code, which reads as follows:

In time of peace, except as herein otherwise provided, officers and enrolled and enlisted men of the Fleet Naval Reserve shall be required to perform such training duty, not to exceed 15 days annually, as may be prescribed by the Secretary of the Navy.

The Chair is of opinion that that language is broad enough to provide aviation training for the Fleet Naval Reserve. But as this provision refers not only to the Fleet Naval Reserve, but also to the other reserves, the Chair will be compelled to sustain the point of order. But the Chair will withhold his ruling if the gentleman has other citations to present.

Mr. FRENCH. I am surprised at the ruling, but—

Mr. STAFFORD. Mr. Chairman, will the gentleman from Idaho yield?

Mr. FRENCH. I yield.

Mr. STAFFORD. I was engaged in trying to find some authority in the organic law of 1925, and did not follow closely the authority cited by the gentleman. I find in section 10 the following language, which I think is broad enough to hold this provision in order. I read:

Sec. 10. Officers and men of the Naval Reserve, when employed on active duty, authorized training duty, with or without pay, drill, or other equivalent instruction or duty, or when employed in authorized travel to and from such duty, drill, or instruction, or during such time as they may by law be required to perform active duty in accordance with their obligations, or while wearing a uniform prescribed for the Naval Reserve, shall be subject to the laws, regulations, and orders for the government of the Navy.

The CHAIRMAN. What is the gentleman reading from?

Mr. STAFFORD. I am reading section 10 of the act referred to by the gentleman from Idaho, the act of February 28, 1925, volume 43 of the Statutes at Large, page 1083.

Mr. FRENCH. Then I direct the Chair's attention to the code, section 758, title 34.

Mr. STAFFORD. I think that language is broad enough to carry the language in the appropriation bill. I direct the Chair's attention to the language particularly—

when employed on active duty, authorized training duty, with or without pay, drill, or other equivalent instruction or duty.

That is most comprehensive language, and relates exclusively to the Naval Reserve. Under that language I think there is authority for this appropriation for aircraft purposes.

The CHAIRMAN. The Chair will read the provision cited by the gentleman from Wisconsin:

Officers and men of the Naval Reserve, when employed on active duty, authorized training duty, with or without pay, drill, or other equivalent instruction or duty, or when employed in authorized travel to and from such duty, drill, or instruction, or during such time as they may by law be required to perform active duty in accordance with their obligations, or while wearing a uniform prescribed for the Naval Reserve, shall be subject to the laws, regulations, and orders for the government of the Navy.

The Chair does not think that language affects the issue here. The Chair does not think that the language of section 758 or that of section 781 covers the case. The Chair sustains the point of order. The Clerk will read.

Mr. COCHRAN of Missouri. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Missouri moves to strike out the last word.

Mr. COCHRAN of Missouri. I would like to ask the chairman whether the law provides that candidates for training in aviation for the Naval Reserve in any way states the qualifications of candidates? In other words, I am receiving letters from young men desiring this training who are qualified in every way with the exception that they did not have a certain number of years of college training. It seems to me unfair to deprive a man from the right of training simply because he was unable to attend college for four years. For instance I have a case where a young man successfully passed the flight physical examination, and every reserve officer in St. Louis favors his selection. The one obstacle is the requirement that cadet applications have four years of college work in order to qualify for flight training. This young man, 23 years of age, attended Washington University in St. Louis for two years, had three years' practical engineering experience outside of school in the fields of civil, electrical, and mechanical engineering. Still,

under the regulations of the Navy, I am told he can not qualify. I say again it seems to me that if men are otherwise qualified that four years of college should not be required. This will prevent many a competent young man from getting flight training. Young men with practical experience will make just as good aviators as college graduates in many cases.

Mr. FRENCH. In answer to the gentleman from Missouri I will state that the Secretary of the Navy has the right to make certain regulations touching classes and qualifications, and among them certain physical standards and certain educational standards, may be set up.

Mr. COCHRAN of Missouri. I am only complaining of the educational standard, four years at college.

Mr. FRENCH. But, if the gentleman admits that educational standards may be set up, then where can the line be drawn? Authority must be vested somewhere. Whether the department exercise the authority in such way as to put an undue burden upon some one that the gentleman feels is not entitled to it, of course, the members of the committee are not prepared to say. We can not go into those questions, but I think that, generally speaking, authority is conferred upon the department.

Mr. COCHRAN of Missouri. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

NAVAL WAR COLLEGE, BUREAU OF NAVIGATION

For maintenance of the Naval War College on Coasters Harbor Island, including care of grounds, \$105,000; services of a professor of international law, \$2,000; services of civilian lecturers, rendered at the War College, \$2,000; care and preservation of the library, including the purchase, binding, and repair of books of reference and periodicals, \$5,000; in all, \$114,000: *Provided*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for clerical, inspection, drafting, and messenger service for the fiscal year ending June 30, 1931, shall not exceed \$72,030.

Mr. BRITTEN. Mr. Chairman, I move to strike out the last word for the purpose of asking a question of the chairman of the subcommittee.

I find that the amount of \$1,000, which has been provided for a number of years, as an entertainment fund for the president of the Naval War College at Newport has been taken from the bill, despite the request of the Navy Department and the Bureau of the Budget to have it retained in the bill. It is the same type of appropriation that has been carried for years for the Superintendent of the Naval Academy.

It is my impression that it is much more important for the head of the Naval War College at Newport to have not to exceed \$1,000 assigned to him for expenditure from time to time to entertain visitors than it is for the Superintendent of the Naval Academy at Annapolis to have that same fund, or for the Superintendent of the Army War College to have it. I think the elimination of so small an amount of money, if I am correct in my presumption, is very parsimonious, and I am wondering what the gentleman from Idaho [Mr. FRENCH] has to say about it.

I would also like to ask if I am correct in my statement that the Navy Department and the Bureau of the Budget desire it in the bill?

Mr. FRENCH. The item was included in the bill as it came from the Bureau of the Budget to the committee. On the other hand, the gentleman is in error in assuming that it is an item that has been carried for that same purpose in bills heretofore. In fact, this was an innovation. This year it was proposed to do it for the first time. Heretofore the amount of money that could be expended by the head of the Naval War College was drawn from the contingent fund of the Secretary of the Navy. It seems that the practice ought to be continued. In other words, I recognize the force of what the gentleman from Illinois [Mr. BRITTEN] says, that the head of the Naval War College, just as the head of the Naval Academy, has to pay for entertainments that ought not to be regarded as personal. They are official entertainments, but it seemed to the committee that it should be handled as handled heretofore. The contingent fund which we gave to the Secretary of the Navy aggregates some \$30,000.

Mr. BRITTEN. Is the contingent fund of the Secretary practically the same as it was last year?

Mr. FRENCH. For 1931 the amount is greater than was expended, although it is \$10,000 less than was carried in the bill for the current year and somewhat less than the amount that was carried in the Budget.

Mr. BRITTEN. Then, the gentleman's committee is reducing the contingent fund of the Secretary of the Navy by \$10,000 for the coming year and suggesting, in addition, that the Secretary of the Navy take care of this \$1,000 or less for entertainment purposes at the Naval War College?

Mr. FRENCH. Yes; and I would say we are carrying in the bill for the contingent fund more than the Secretary expended in the last complete fiscal year. I do not believe there is any complaint from the Secretary.

Mr. BRITTEN. How much more, may I ask the gentleman?

Mr. FRENCH. I think the expenditure was probably not far from \$20,000, and we are carrying about \$30,000. We try to be generous and ample in a matter of this kind. We believe we can trust the Secretary, and yet we do not want to tie up money that will not be needed. I do not believe the Secretary of the Navy would want us to.

Mr. COYLE. Will the gentleman yield?

Mr. BRITTEN. I yield.

Mr. COYLE. My information is that this item of \$1,000 has been allocated each year by the Secretary of the Navy to the president of the War College until three years ago, and that for the past three years it has not been allocated from the Secretary's contingent fund, and they have been told they should go through the Budget and get a direct allotment of \$1,000 in the appropriation for the contingent fund. This year for the first time the amount was approved by the Navy Department and by the Bureau of the Budget, and they feel rather discouraged to have it taken out of the bill by the committee, because, as it happens, the present president of the War College and his successor soon to be both come from the lower half of the rear admirals' grade, and they get \$2,000 a year less pay than any prior president of the War College since the war.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. BRITTEN. Mr. Chairman, I ask unanimous consent to have my time extended two minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for two additional minutes. Without objection, it is so ordered.

There was no objection.

Mr. COYLE. Mr. Chairman, this leaves a situation under which the president of the Naval War College has to provide for the entertainment of very distinguished foreign guests who oftentimes come there as lecturers, as well as men from colleges in the United States. The president of the college has to pay for this out of his pay, and his allowances without this \$1,000 are almost \$3,000 less than they have been in any other of recent years until the three years just now past.

So if the opportunity comes to reconsider that item, or at least to let the Secretary's office know that the committee believes that there is necessity for it, I would appreciate it very much, and I think the naval service generally would appreciate it.

Mr. FRENCH. The members of our subcommittee, as I stated a moment ago, recognize the unusual burdens that rest upon an officer as head of the Naval War College. I am acquainted with the particular officer to whom the gentleman refers, and I have the highest admiration for him and his ability. On the other hand, the picture which the gentleman from Pennsylvania [Mr. COYLE] has painted to the House is one that comes to members of our committee for the first time. We were not so advised, and it has been the understanding of the committee that moneys for entertainment have been allotted from the general fund, under the control of the Secretary of the Navy.

More than that, whether that has been the policy pursued it is certainly within the power of the Secretary of the Navy under the law, which we do not disturb, to do that thing. I think the gentleman himself said it had been followed until quite recently, and we think it should be followed.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

The pro forma amendment was withdrawn.

The Clerk read as follows:

BUREAU OF SUPPLIES AND ACCOUNTS

PAY, SUBSISTENCE, AND TRANSPORTATION OF NAVAL PERSONNEL

Pay of naval personnel: For pay and allowances prescribed by law of officers on sea duty and other duty, and officers on waiting orders (not to exceed 5,499 commissioned officers of the line and 1,455 warrant and commissioned warrant officers on the active list)—pay, \$30,302,942; rental allowance, \$6,067,182; subsistence allowance, \$3,709,998; in all, \$40,080,122; officers on the retired list, \$5,171,400; for hire of quarters for officers serving with troops where there are no public quarters belonging to the Government, and where there are not sufficient quarters possessed by the United States to accommodate them, and hire of quarters for officers and enlisted men on sea duty at such times as they may be deprived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable, \$3,000; pay of enlisted men on the retired list, \$2,284,004; extra pay to men reenlisting after being honorably discharged, \$2,486,290; interest on deposits by

men, \$3,000; pay of petty officers, seamen, landsmen, and apprentice seamen, including men in the engineer's force and men detailed for duty with the Fish Commission, enlisted men, men in trade schools, pay of enlisted men of the Hospital Corps, extra pay to men for diving, and cash prizes (not to exceed \$55,000) for men for excellence in gunnery, target practice, and engineering competitions, \$68,511,846; outfits for all enlisted men and apprentice seamen of the Navy on first enlistment at not to exceed \$100 each, civilian clothing not to exceed \$15 per man to men given discharges for bad conduct or undesirability or inaptitude, reimbursement in kind of clothing to persons in the Navy for losses in cases of marine or aircraft disasters or in the operation of water or air borne craft, and the authorized issue of clothing and equipment to the members of the Nurse Corps, \$1,738,230; pay of enlisted men undergoing sentence of court-martial, \$164,220, and as many machinists as the President may from time to time deem necessary to appoint; and apprentice seamen under training at training stations and on board training ships, at the pay prescribed by law, \$1,530,000; pay and allowances of the Nurse Corps, including assistant superintendents, directors, and assistant directors—pay, \$668,260; rental allowance, \$16,320; subsistence allowance, \$21,900; pay retired list, \$21,376; in all, \$727,856; rent of quarters for members of the Nurse Corps; pay and allowances of transferred and assigned men of the Fleet Naval Reserve, \$9,929,532; reimbursement for losses of property as provided in the act approved October 6, 1917 (U. S. C., title 34, secs. 981, 982), as amended by the act of March 3, 1927 (U. S. C., Supp. III, title 34, sec. 983), \$5,000; payment of six months' death gratuity, \$150,000; in all, \$132,784,500.

Mr. GAMBRILL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Maryland offers an amendment, which the Clerk will report.

Mr. BRITTEN. Mr. Chairman, I reserve a point of order against certain language in this paragraph.

Mr. TABER. Mr. Chairman, I make the point of order that the reservation comes too late. An amendment has been offered.

The CHAIRMAN. The reservation of a point of order comes too late, because the Chair had recognized the gentleman from Maryland to offer an amendment. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. GAMBRILL: On page 24, after line 8, add the following:

"For payment to Vincentia V. Irwin, widow of the late Ensign Glendon Ward Irwin, United States Navy, of an amount equal to six months' pay at the rate said Glendon Ward Irwin was receiving at the date of his death, as authorized by the act approved May 26, 1928, \$935.

"For payment to Lucy B. Knox, widow of the late Lieut. Commander Forney Moore Knox, United States Navy, of an amount equal to six months' pay at the rate said Forney Moore Knox was receiving at the date of his death, as authorized by the act approved May 26, 1928, \$2,370."

Mr. GAMBRILL. Mr. Chairman and members of the committee, in the Sixty-ninth Congress this House passed a bill granting six months' pay to Vincentia V. Irwin, widow of Ensign Irwin, who died while in service and in line of duty. This bill failed of action by the Senate.

In the Seventieth Congress, first session, the bill was reintroduced, and it passed the House and the Senate, was signed by the President, and is now a law. There was nothing unusual about this bill granting six months' pay to the widow of Ensign Irwin, and it has several precedents to support it.

The act of May 13, 1908, gave six months' pay to the beneficiary of an officer or enlisted man of the Navy or Marine Corps who died of wounds or disease contracted in the line of duty; so the law stood until the war risk insurance act of October 6, 1917, which was held to have repealed the act of May 13, 1908. Evidently it was not the intention of Congress to repeal the act of May 13, 1908, by the enactment of the war risk insurance act, as on June 4, 1920, Congress reenacted the law of 1908. But there was a hiatus between October 6, 1917, and June 4, 1920, and it was during this period, or on December 6, 1917, that Ensign Irwin died.

So Congress, having these facts before it, enacted a law for the relief of the widow of Ensign Irwin, providing for a payment to her of \$935, or six months' gratuity; and a like bill, granting \$2,370 to the widow of Lieutenant Commander Knox, was passed and became a law. These items providing for the payment to Mrs. Knox and Mrs. Irwin were reported by the Secretary of the Navy for inclusion in the first deficiency appropriation bill in the Seventieth Congress, on which the conferees failed to agree.

The Appropriations Committee of the House refused to include these items in the deficiency bill, and that bill went to the Senate where the items were inserted. But, due to the legislative situation, no action on the first deficiency bill was taken; and the second deficiency bill included the appropriations provided

for by the House in the first deficiency bill, but did not include appropriations for Mrs. Knox and Mrs. Irwin.

When hearings were being held on this appropriation bill for the Navy, Congressman LINTHICUM and I appeared before the committee and urged that the appropriation for Mrs. Irwin and Mrs. Knox be made as authorized by Congress. That committee has not included the items authorized. In other words, the Appropriations Committee presumed to disregard the expressed will and legislative intent of Congress by failing to provide for the payment to Mrs. Knox and Mrs. Irwin of six months' gratuity.

If this be the attitude of the Committee on Appropriations, I can see no reason for the retention of any committees of Congress, save and except the powerful Committee on Appropriations and, possibly, the Ways and Means Committee. If this be the attitude of the Committee on Appropriations, then not only must a bill not be in conflict with the financial policy of the President but every sponsor of legislation, for an appropriation must first go hat in hand and with bended knees to the Committee on Appropriations and ascertain from that august body if the proposed legislation is in conflict with its financial policy.

Why did the Committee on Appropriations refuse to make the appropriations necessary to carry out the legislative intent? Simply because a special assistant to the Paymaster General of the Navy was before the committee for examination and reported the Navy Department considered the items special legislation and had been opposed to such appropriations; and for the further reason the department had estimated that if six months' gratuity were paid to the beneficiaries of all officers and enlisted men who died between October 6, 1917, and June 4, 1920, it would cost the Government \$3,300,000. Just what basis the assistant to the Paymaster General had for this estimate, which seems to me a gross exaggeration, I do not know. But the fact is that only about eight bills of this character have been introduced and have become laws, and the appropriations have been made in other cases to carry out the legislative intent. The aggregate amount of such appropriations probably does not exceed \$15,000. But I do not propose to discuss the merits or the demerits of the legislation, as Congress has expressed its determination by the passage of the authorization bills, and the broad question is, Whether the intent and purpose of Congress shall be carried out or shall the acts of Congress be nullified by the Committee on Appropriations?

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. GAMBRILL. Mr. Chairman, I ask unanimous consent to proceed for four additional minutes.

The CHAIRMAN. The gentleman from Maryland asks unanimous consent to proceed for four additional minutes. Is there objection?

There was no objection.

Mr. GAMBRILL. Let us see how the Committee on Appropriations, headed by the gentleman from Indiana [Mr. Wood], functions when it has a special project to defend.

When the bill making appropriations for the District of Columbia was before the House for consideration on March 27 of this year it contained an item of \$300,000 for a farmers' market in southwest Washington, a subject matter which had provoked considerable controversy when the authorization bill was passed. The item of \$300,000 was reported, as it should have been, by the Committee on Appropriations, although several members of that committee doubted very seriously the wisdom of the appropriation being made.

When the item was reached in the reading of the bill the gentleman from Massachusetts [Mr. UNDERHILL] offered an amendment striking out the appropriation of \$300,000, which was his right and privilege, as well as that of any other Member. Then it was that the gentleman from Indiana [Mr. Wood] rushed to the rescue of the appropriation, and after referring to the authorization he said:

In doing this [meaning in making the appropriation] we are carrying out the mandate of the Congress as then expressed.

I will say to the gentleman from Indiana [Mr. Wood], who has so successfully opposed the appropriation for Mrs. Irwin and Mrs. Knox being included in this appropriation bill, that the "mandate" of Congress in these cases should be just as binding on you as the "mandate" for a farmers' market in southwest Washington, the only difference being that powerful financial interests were back of the \$300,000 appropriation.

The question is simply this, Shall the legislative intent, as expressed by the passage of these bills for the relief of Mrs. Knox and Mrs. Irwin, be carried out, or shall the legislative intent be nullified by the action of the Committee on Appropriations?

I hope the amendment will prevail.

Mr. TABER. Will the gentleman yield?

Mr. GAMBRILL. I yield.

Mr. TABER. Is it not true that the gentleman went on record on the District appropriation bill against the doctrine he is now enunciating?

Mr. GAMBRILL. On the contrary, I think the Committee on Appropriations having in charge the District of Columbia appropriation bill acted properly in including the appropriation for \$300,000, but it was within the right and prerogative of any Member of Congress to object to that item being approved when the bill was considered by the House.

Mr. STAFFORD. Will the gentleman yield?

Mr. GAMBRILL. Yes.

Mr. STAFFORD. Are we to understand that the Committee on Appropriations has deliberately refused to vote an appropriation in accordance with these acts of Congress?

Mr. GAMBRILL. That is the precise situation which is presented to the House to-day.

Mr. STAFFORD. I think that calls for some explanation on the part of some member of the Committee on Appropriations.

Mr. LINTHICUM. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Maryland asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. LINTHICUM. Mr. Chairman and gentlemen of the committee, I am coming over on this side [Republican], where I think I have a great many friends, as I have on the other side. I want to discuss this matter rather frankly with you.

Commander Fordney Moore Knox was one of the men who helped to lay down the mines across the North Sea. He came back to Annapolis, was taken sick, and after a while died in the service. He died February 16, 1920, and this new act was passed on June 4, 1920. Had he lived until June 4 he would have gotten this six months' pay. The old law granting the same relief was repealed October 6, 1917.

Mrs. Knox is the daughter of Judge Briscoe, of Maryland, now deceased, and I introduced a bill granting her six months' pay, she having three little children. Before I introduced the bill, however, I looked the matter up to see if there were any precedents for it. I found there were quite a number of precedents. I found that Harriet B. Castle (Private Law, 273) had been given six months' pay; that Alice P. Dewey (Private Law, 255) had been given six months' pay; that Josephine Barin (Private Law, 242) had been paid; and that Ellen McNamara (Private Law, 222) had been paid. I had all of those precedents in mind when I introduced this bill. Then two days before my bill passed a bill was passed for Mrs. Lathrop (H. R. 2793) and she got her money. But for some reason or other we have been unable to get an appropriation to pay the beneficiaries named in these two acts, that of Lucy B. Knox and Vincentia D. Irwin.

The Knox bill was passed by this House twice. It was argued before the Naval Affairs Committee and passed this House twice. The first time it failed in the Senate by reason of nonaction, but the second time it passed the House, passed the Senate, and was approved by the President. Then the Bureau of the Budget sent down an estimate for the payment of the amount carried in the bill, \$2,370.

I did not go before the Appropriations Committee; neither did my colleague the gentleman from Maryland [Mr. GAMBRILL], because we were under the impression, Mr. Leader [Mr. TILSON], that the gentleman's agreement stood, and that whatever the legislative committees authorized to be paid the Appropriations Committee would pay. You gentlemen who were here when the Appropriations Committee was enlarged and given charge of appropriations will remember that it was understood that the other committees should only have the right to authorize, but that when they did authorize the Committee on Appropriations would make the payment. The matter came down in the Budget and I concluded it would go in, just as all other claims had gone in, and just as these six or seven other identical cases had gone in and been appropriated for, but, to my utter astonishment, when the bill was reported out these items were not included.

Then my colleague the gentleman from Maryland [Mr. GAMBRILL] and I thought we would follow a different process, and we went before the Committee on Appropriations, hat in hand, and laid the whole matter before them, and I must say that I believe we have their sympathy if not the appropriation. I think the only reason this subcommittee has not given us the appropriation is the fact that another subcommittee, when it considered the deficiency bill and left these items out, established a precedent. The consequence is that this subcommittee does not feel that it should reverse another subcommittee which is also a part of the Committee on Appropriations.

When this matter first came before the Committee on Naval Affairs the Navy Department said they could not recommend it because they believed a bill carrying \$3,000,000, or something of that sort, should be passed giving everybody relief. The Navy Department has consistently recommended general legislation, but the committee is of the opinion that these cases should be taken care of as they are presented by the individuals.

Now, this is from the Navy Department, through Captain Leigh, now Admiral Leigh:

The Navy Department is opposed to the enactment of special legislation which benefits an individual to the exclusion of many others who may have equal claim to the same benefits, and as the enactment of such legislation establishes an undesirable precedent and is not for the general good of the naval service the Navy Department recommends that the bill be not enacted.

A more comprehensive statement of the attitude of the Navy Department is found in a later report, which states:

The department considers this class of legislation as meritorious, but invites attention to the fact that it is not general in its character.

Captain Leigh, now Admiral Leigh, came down before the committee and he said that while the department could not recommend the bill, because the department believed there ought to be general legislation, he said:

The department considers this class of legislation meritorious and invites attention to its general character.

Now, gentlemen, it does seem to me that if there were ever two cases that should be taken care of they are these two cases of Irwin for \$935 and Knox for \$2,370, involving all told \$3,305.

Mr. BRIGGS. Will the gentleman yield?

Mr. LINTHICUM. Certainly.

Mr. BRIGGS. Why is it not taken care of in the appropriation bill? Is there any reason for it?

Mr. LINTHICUM. Here is what the Subcommittee on Appropriations says:

As these two instances are special legislation, not mandatory in character, and discriminate in favor of a small number compared to a large group, the items are not recommended.

Not mandatory! I want to ask you gentlemen on both sides of this House, when did you ever get an authorization for an appropriation from any committee that was mandatory? You can not get a mandatory authorization through the committee, and, of course, this was not mandatory, and therefore they do not put it in the appropriation bill.

Mr. STAFFORD. Will the gentleman yield?

Mr. LINTHICUM. Certainly.

Mr. STAFFORD. In the other instances, where the Congress has passed special acts granting similar relief, has it not been the custom for the Committee on Appropriations to recommend the payment of such claims?

Mr. LINTHICUM. Invariably.

Mr. STAFFORD. Without any special effort being made?

Mr. LINTHICUM. Invariably; and two days before my bill went through the Lathrop bill went through and she got her money.

Mr. STAFFORD. What is their defense for not appropriating the money in this instance?

Mr. LINTHICUM. That is something I can not answer, except that they think this House and the Senate, the President, and the Budget are wrong and they are right.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. LINTHICUM. Yes.

Mr. VINSON of Georgia. As a matter of fact, there is not a single mandatory provision with reference to the entire appropriation bill now before the committee.

Mr. LINTHICUM. You could not get such a provision through the committee.

Mr. VINSON of Georgia. I am talking about this very bill. There is nothing mandatory about the committee making these appropriations.

Mr. LINTHICUM. Of course not; there is nothing mandatory about it. There could not be under our rules.

I have been fighting this matter for three or four years, and I am asking you to give it your serious consideration. I would like to see the appropriations made, and I do not believe you are going to hurt the feelings of this subcommittee in doing this. The committee has given it consideration, and they have given no reason for not recommending the appropriation. These women need the money, and everyone else who is similarly situated has received the money who asked for it.

Mr. FRENCH. Mr. Chairman, the amount of money in the two items is not large; on the other hand, there is a principle involved. The gentleman from Maryland [Mr. LINTHICUM] is

quite correct when he says that he has friends over on this side of the House. I recognize that; but, Members of the House, propositions of this kind are not matters of personal friendship. Your committee has been compelled time and time again to turn down projects urged by men whose friendship is highly prized. But we must not legislate upon this basis. So much for the appeal on the basis of friendship.

The second suggestion the gentleman makes is that when the authorization is made it ought to be a mandate upon the Committee on Appropriations at once to report a bill that will carry the appropriation.

Of course, I think the gentleman does not want to be regarded as making this broad statement. This is not the policy of the Congress; in fact, if it were the policy of the Congress, you might just as well not have a Committee on Appropriations. The very fact we have two committees—a legislating committee and an appropriating committee—is evidence that under our system the Congress desires that certain matters be examined with greatest care. I could cite case after case where authorization has been made of large projects, and where through the result of hearings or study by the Appropriations Committee, appropriations have been made for far less than the money totals in the authorization.

Now, when we come to this particular item, what is the situation? The gentlemen who have spoken have indicated that prior to the year 1920, June 4, for a number of years the relatives of persons who died under the circumstances similar to those surrounding the cases cited were not entitled under the law to six months' gratuity pay on the part of the Government.

Then a law was passed providing that the beneficiary of the person who died under similar circumstances would be entitled to six months' pay. Because of the fact that these two persons died prior to the date that the law was passed gentlemen come here and urge that the provisions of the later law ought to be extended so as to include benefits to the beneficiaries of these persons.

If that be sound, it would open up the entire question of correcting abuses that it might be alleged might be shown though they were not abuses under the laws existing at the time.

When the two bills were passed two years ago, if you will look at the CONGRESSIONAL RECORD of May 20, 1928, you will find objection was reserved to the Knox bill by the gentleman from Michigan [Mr. HUDSON]. A very brief explanation was made, an explanation that was altogether inadequate and did not even approach the subject in reciting the facts that existed in the report of the Secretary of the Navy.

When the Irwin bill was passed no line of explanation was made touching the bill.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. FRENCH. I yield.

Mr. VINSON of Georgia. The line of argument the gentleman is making should have been addressed to the President, because before approval it is assumed he goes into the merits of the bill. What we are talking about is the law on the statute book dealing with the subject. The gentleman should have presented his argument to the President for a veto. After it became a law it is incumbent on the committee to offer an excuse of why it has not carried out the law enacted by Congress.

Mr. FRENCH. Following up the thought I was pursuing, may I direct the attention of the House to the report that was made by the Secretary of the Navy upon the subject when the bills were pending? It was pointed out that if all beneficiaries were recognized of persons who died under similar circumstances it would require an amount of \$3,331,569 to meet the obligations of the Government. Yet no general bill was introduced or was pressed upon the House providing for any such adjustment.

The gentleman a little while ago estimated that possibly \$15,000 would meet the total claims already allowed. That is his estimate. The department, however, estimates that it will require more than \$3,300,000 to meet just such claims.

You will remember that eight years ago Congress included a few lines in the naval appropriation bill providing for the retirement pay to those members of the service who held emergency officers' rank equal to the retirement pay of those in the Regular Naval Establishment. This was when the naval appropriation bill came from the Naval Committee. At the end of 13 months about 228 officers had received the benefits of the law, and Congress, realizing the mistake it had made, promptly repealed the act. Then what happened? The point was made that the benefits extended to some should be shared by all, and it was pressed upon Congress that a general law be passed providing for retirement pay to emergency officers not only in the Navy but the Marine Corps and in the Army equal to retirement pay of officers of the Regular Establishments.

Such a campaign was made as has been surpassed probably but few times in recent years, with the result that about a year and a half ago the Congress passed a law providing for retirement pay to all of those who were on a similar footing with the limited number who had slipped through on that piece of legislation eight years ago. What is it costing us to-day? Not a few thousand dollars but between \$9,000,000 and \$10,000,000 every year. Here in the proposed amendments is the thin edge of the wedge. Here are two items that have been proposed that involve conditions as to which there was no law existing when the men died whose dependents are now involved. If we agree to the amendment, then it will be of course up to the Congress to say whether or not it shall refuse like consideration to the beneficiaries of men who died under similar circumstances, and that will involve not less than \$3,300,000.

Mr. VINSON of Georgia. Mr. Chairman, I rise in support of the amendment. I am satisfied the committee was hoping that the gentleman from Idaho [Mr. FRENCH] would offer some excuse or at least a good alibi for the refusal of the committee to make this appropriation. On the contrary, the gentleman consumed some 10 minutes going into the reason why the gentleman from Michigan [Mr. HUDSON] should have objected to the bill some years ago when it was before the House for consideration. The merits of the bill when it passed the House are not applicable now. It was discretionary with the Congress at that time as to whether or not we would grant six months' gratuity in cases of this kind. The Congress did so. The bill received the approval of the President, and it is the law of the land that these two widows of officers who died should have the benefit of this six months' gratuity. The question before this committee is one of principle. It is a very vital principle, as to whether or not a subcommittee of the Committee on Appropriations can nullify a law of Congress. That is all that is involved here. Congress passes a law to-day to do a certain thing that does not meet the views of the gentleman from Idaho or some other members of the committee, and they say, "We will pay absolutely no attention to it."

This is not the first time that this Subcommittee on Appropriations has done this identical thing. A few years ago the Naval Affairs Committee authorized the construction of an experimental metal airship, costing about \$300,000. When the appropriation bill was reported to the Congress it was found that the committee had left that out. The gentleman from New York [Mr. TABER] took the floor and sought to justify the reason why the Appropriations Committee had not carried out the mandate of Congress authorizing an appropriation for the building of that ship. It was upon the same theory that the gentleman from Idaho now is seeking to justify this—going into the merits of the case.

The Congress has passed the law, the President has sanctioned it, and now the gentleman says the reason he does not include the amount in the appropriation bill is because there is no mandatory provision. I say to the gentleman there is not a single mandatory provision in respect to any item in the present appropriation bill requiring the Committee on Appropriations to come in here and make an appropriation of a definite sum.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. Yes.

Mr. TABER. Does the gentleman mean to say that the House when it considers an appropriation bill should not consider the items that are presented on their merits? Is the gentleman now addressing himself to the proposition that the House has no discretion, that the membership of the House are mere automatons?

Mr. VINSON of Georgia. Mr. Chairman, nothing I said warrants any such statement as that. On the contrary, the gentleman says that his subcommittee will flaunt the law of Congress and do as it pleases. What is the prerogative of the Committee on Appropriations? It has no legislative authority at all.

Just as a deceased Member who headed the Committee on Naval Affairs some years ago said, the main function of the Appropriations Committee is that of an adding machine, and yet this subcommittee comes in here after the Congress passes a law and the President signs it and says that it will veto the law, saying to the Congress, "We are bigger than the Congress." The Congress says certain things should be done, and this subcommittee which makes up the appropriations says, "We care nothing about what the House and the Senate and the President do, because it does not meet our approval, and we will not carry out the provision and the intention of the law and will therefore make no appropriation." Mr. Chairman, I sincerely trust that this House will go on record and let it be understood by the Appropriations Committee that when Congress passes a law it is incumbent upon that committee to endeavor to carry out the law as authorized by the Congress. [Applause.]

Mr. OLIVER of Alabama. Mr. Chairman, when one assumes the extreme position that the gentleman from Georgia [Mr. VINSON] does, in order to state a good case to the House, and charges that the Committee on Appropriations has improperly violated a mandate of the Congress, I feel, as a member of that committee, that I should make some answer to the unjustified charge of the gentleman. This House has frequently, as the gentleman from Idaho [Mr. FRENCH] said, gone on record as approving the action of the Committee on Appropriations in not providing appropriations for all authorizations. It is not surprising, however, that so zealous an appeal should be made at this time, when we understand there may soon be large authorizations for construction reported by the committee of which the gentleman from Georgia is a member, and if this House gives approval now to the idea that when Congress passes an authorization for construction there must necessarily be reported by the Committee on Appropriations appropriations to carry out such authorizations the gentleman from Georgia may point to that as a precedent. It so happens that the particular case now before the House may be a very weak case for the Committee on Appropriations to undertake to explain why no appropriation is affirmatively recommended, but Members of the House should understand that the committee has very frankly called attention to it. A hearing was given the gentlemen by the committee, and the committee recognizes that it is the supreme right of Congress to determine what should now be done, and I am very frank in saying to you that we are not here to speak against the justice of providing this appropriation.

But the House should remember this: The Committee on Appropriations may very properly call to the attention of the House the importance of providing by general legislation for items of this kind in order that at the time the general legislation is proposed hearings may be had and proof submitted to show what expense such legislation will ultimately entail on the Federal Treasury. We know that when private bills are considered by unanimous consent there are comparatively few Members present, and those few are greatly importuned to withhold objections, and thus many bills pass without the membership of the House knowing anything about them.

I call your attention to an instance where the committee, I think, was complimented on its refusal to carry out an authorization. You passed a bill some years ago authorizing Federal judges to parole certain misdemeanor cases, and the bill required the probation officers to be selected by the judges from civil-service lists. Many of the judges objected to this method of selection, and attention was further called to the fact that the law failed to provide adequate supervision over the probation officers. So the committee refused to approve Budget estimates for appropriations covering salaries of probation officers, and gave you our reasons therefor.

Less than six months ago the House vindicated our position in withholding appropriations, and the Judiciary Committee reported a bill to correct the existing law in the matters referred to and said, in effect, we were right in not providing appropriations until the law could be changed so as to insure efficiency in this service.

This House has given approval to several bills carrying individual appropriations and since the pending amendment seems to have merit, I will make no defense against the insistence of gentlemen that the appropriation should be made. The reason why it was not recommended was the fact that we felt it was important that general legislation should be passed on this subject. You will find that when you come to investigate the records many similar claims, equally as meritorious, remain unpaid and unauthorized; and unless Congress passes general legislation to cover all like meritorious cases, you will do injustice to many needy beneficiaries who are now unknown and who will remain unknown. That is the reason why I brought this to the attention of the House. [Applause.]

Mr. STAFFORD. Mr. Chairman and members of the committee, a vital procedure of the House is involved in this question, whether the Committee on Appropriations has the right to consider and regulate the action of Congress as to private bills.

I have never known until to-day of an instance where the Committee on Appropriations has withheld its approval of an appropriation after the Congress had passed an act for the relief of a private individual. The essence of their procedure is to reconsider the vote of the Congress; not the vote of the House only, but the vote of the Congress.

Following out that policy to an extreme, we would not have the right to pass private pension bills or an omnibus pension bill, as it would be in the power of that committee to withhold the appropriation. Is it to be the policy of the Congress, after we pass a bill through the House and through the Senate to be required to go to the Committee on Appropriations and ask their favor to make the appropriation when Congress has issued its

mandate that this money shall be paid out of any money in the Treasury not otherwise appropriated? That is what such an act says, that there is authorized to be paid out of any money available in the Treasury such and such an amount.

Under legislative authorizations estimates are sent to Congress by the executive departments from time to time for the payment of certain stated amounts in settlement of claims, and no question is ever raised as to the appropriation. In these cases that is considered the estimate of the department, and the appropriation is granted as a matter of course.

The Appropriations Committee is transgressing on the great prerogatives of this Congress when they attempt to say, after this Congress, in its full wisdom, has passed a bill for relief, that they have the right to withhold the appropriation. There is no parallel to the case cited of authorization for construction. In matters of construction it is presupposed that the authorization shall not exceed a certain stated amount. But when the House passes private relief bills authorizing a certain amount of money to be appropriated, there is no recourse for further consideration. Congress has said so much shall be paid, not with the approval and supervision of that august tribunal, the Committee on Appropriations, or whether such money is available in the opinion of the Committee on Appropriations.

The committee has not made out a defense. I think they should never again have the right to come into this House and expect us to uphold their contention. We should, almost as a unit, other than members of the Committee on Appropriations, vote to have these two items included.

Mr. TABER. Mr. Chairman and members of the committee, I rise in opposition to the amendment. It seems to me that the members of the committee, or at least some of them, have little sense of the responsibility that rests upon them as members of this Committee of the Whole and as Members of the House.

Here is the situation: We are all Members of the House of Representatives. Upon us is placed the responsibility of passing upon legislation that is passed to us. Under the Budget system, for the purpose of considering legislation, this method is provided: First, before any money can be had, an authorization bill must be passed, authorizing the appropriation of money for the particular purpose. That bill must be submitted to the House and passed and signed by the President. Then a bill must be submitted to the House by the Appropriations Committee and passed by the House, appropriating the money. It is not the Appropriations Committee, it is not the Naval Affairs Committee, or any other committee that passes legislation or appropriations. It is a question for the House to pass upon, and the House should support and meet its responsibilities. It is absolutely ridiculous for us to take the position that because one committee reported a bill and the House has passed it that the other committee must include that item in the appropriation bill. If that were true why does the Budget system require the item to be reported to the House in the bill submitted by the Committee on Appropriations? It is an absolutely ridiculous situation that the House is not big enough and has not enough conception of its responsibilities to pass upon the measures that are submitted to it, and to pass an appropriation bill upon its merits and not upon some fancy method of procedure that is contrary to the rules of the House and the Budget system.

Mr. ADKINS. Will the gentleman yield?

Mr. TABER. I yield.

Mr. ADKINS. Now, when an appropriation is authorized and reported to the House, has not the House got the right to amend that and reduce it or strike it out if they desire?

Mr. TABER. Or to increase it; yes. That is just the situation that is presented. It is a matter for the House to pass on. It is not a controversy between the Appropriations Committee and any other committee, regardless of whether or not they get themselves into a position of trying to make themselves feel offended or slighted, but it is a matter of the duty of the Appropriations Committee to come here with legislation that it thinks is right and present it to the House. If the House does not think the Appropriations Committee has done the right thing, it is up to the House to turn it aside.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. TABER. I yield.

Mr. VINSON of Georgia. The trouble is, the committee did not make any appropriation at all.

Mr. TABER. It is perfectly proper for the gentleman from Maryland [Mr. LINTHICUM] to offer an amendment, but it is up to the House to pass upon it on its merits.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. TABER. I yield.

Mr. OLIVER of Alabama. There has been nothing said by any member of the committee against the right of the gentle-

man from Maryland [Mr. LINTHICUM] to offer his amendment and submit it to the House on its merits. The House is absolutely sovereign in that respect.

Mr. TABER. Absolutely.

Mr. OLIVER of Alabama. We have called the attention of the House to what we thought would be a better method of providing for many such claims that are equally meritorious and which are not now cared for, if it is the desire of Congress to pay for all such claims.

Mr. TABER. Personally, I think that it is establishing a dangerous precedent to put this item into the bill and thereby create a precedent where we will have to put in \$3,300,000.

The CHAIRMAN. The time of the gentleman from New York [Mr. TABER] has expired.

Mr. BRITTEN. Mr. Chairman, I move to strike out the last word.

I will only take up the time of the House for one minute. It seems to me that we are wasting a great deal of valuable time on a matter of very, very little importance to the Treasury or even to ourselves, but a matter of very, very great importance to two dependent widows of officers who lost their lives in the line of duty. The total amount involved to-day is \$3,200, one widow receiving \$2,300 and the other receiving \$900—six months' pay of an officer who lost his life in the line of duty.

Mr. HUDSON. Will the gentleman yield?

Mr. BRITTEN. I yield.

Mr. HUDSON. But what about all the other widows in the country in a similar position?

Mr. BRITTEN. I am coming to that.

The objection that has been voiced by the members of this important committee is that the Congress should pass general legislation. They know as well as you and I know that in many instances the widows and so-called dependents of officers who die do not desire this gratuity from the Government; but in this instance these two dependent widows do desire it, and why suggest that we should wait for general legislation?

In my opinion, my friends, this \$3,200 is going to come out of the Treasury in one bill or another. It is authorized by act of Congress signed by the President. What difference does it make? The amendment is in order on this bill. Why not pass it? I think the item is too small to even quibble about. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Maryland [Mr. LINTHICUM]. The question was taken; and on a division (demanded by Mr. STAFFORD), there were—ayes 34, noes 29.

So the amendment was agreed to.

Mr. McCLINTIC of Oklahoma. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Oklahoma offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. McCLINTIC: Page 24, line 8, at the end of the paragraph insert:

"Provided, That no part of this appropriation shall be expended until the Secretary of the Navy shall order an inventory taken annually for the purpose of establishing a complete check on all necessary articles and supplies, and put into effect such rules and regulations as will be necessary to carry out this proviso."

Mr. FRENCH. Mr. Chairman, I reserve a point of order against the amendment.

Mr. McCLINTIC of Oklahoma. Mr. Chairman, I do not think the amendment is subject to a point of order, for the reason that it is a limitation. I hope after I have explained the object of the amendment the Chairman will not see fit to oppose the same.

A short time ago it was my privilege to appear before another committee in Congress, and the question was raised as to the amount of supplies on hand in one of the great bureaus of this Government. One member of the committee estimated the amount as \$5,000,000, another \$500,000,000. There was no way for the committee to obtain accurate information, for the reason that in some departments of our Government inventories have not been taken, I dare say, for a period of 50 years or more. So I have drawn an amendment which does not reflect upon any person connected with the department. It does not limit the powers of the Secretary of the Navy, but it leaves the subject wholly in his discretion when it comes to deciding the amount of supplies on hand with regard to which an inventory should be taken.

Everyone knows that this department of the Government takes an inventory of everything that is in the House Office Building from time to time. Everyone knows that no successful business can be conducted unless inventories are taken annually, and in most instances semiannually. Everyone knows

that insurance companies will not write policies on legitimate stocks unless inventories are taken at different intervals.

An amendment of this kind—which does not cast any aspersions on any person, on any bureau, or on any head of any bureau—might bring about a lot of good, might be in the interest of business economy, might stop up a few leaks, and might bring about a great saving to the Government, and I have, therefore, offered it in order that this committee may do just what it may desire. I ask unanimous consent that the amendment may again be reported.

The CHAIRMAN. Without objection, the amendment will again be reported.

There was no objection.

The Clerk again reported the amendment.

Mr. FRENCH. Mr. Chairman, I shall make a point of order against the amendment in just a moment, but before doing so it seems to me I should say that, generally speaking, the very things suggested by the amendment are practices carried on within the Naval Establishment. In other words, the Navy is constantly taking invoices, taking stock of the property it has on hand, and the Committee on Appropriations is constantly combing through the different stores and accounts to find what materials can be utilized, what ought to be disposed of because it is obsolete or of no value, and how best to care for materials that are serviceable and serviceable for some purpose maybe other than that for which they were originally purchased.

It seems to me, however, that the language is subject to a point of order because it undertakes to direct the course which the Secretary of the Navy should pursue before money shall be available, and with that thought in mind I make a point of order against the amendment.

Mr. McCLINTIC of Oklahoma. Mr. Chairman, I thought I had prepared the amendment in such a way as to bring it under the Holman rule and I thought it would be a limitation.

I want to say to the distinguished chairman of the subcommittee that I have no desire to clutter up the bill with an amendment that would work any hardship, and my only interest was to bring about some economies in this great department, if possible.

Mr. FRENCH. If the gentleman has in mind a further statement I might make along that line, I would say that I believe the department is following the general thought which the gentleman has in mind, and I am afraid that the language, even were it not subject to a point of order, as I think it is, would possibly impose strictures that would make it embarrassing for the department to function as efficiently as it should.

Mr. McCLINTIC of Oklahoma. Mr. Chairman, in preparing the amendment I used the word "necessary," so as to leave the entire discretion in the Secretary of the Navy, having in mind the thought that there might be certain economies brought about if an inventory was taken from time to time. For that reason I used the word "necessary," and left it discretionary instead of mandatory. I hope the gentleman from Idaho will not object to the amendment.

The CHAIRMAN. The amendment offered by the gentleman from Oklahoma provides:

That no part of this appropriation shall be expended until the Secretary of the Navy shall order an inventory taken annually—

And so forth. The amendment does not on its face bring about any reduction or retrenchment in expenditures. The Chair does not regard it as a limitation, and in any event it imposes a new duty upon the Secretary of the Navy, which can not be done under the guise of a limitation. Therefore the Chair sustains the point of order.

Mr. COCHRAN of Missouri. Mr. Chairman, I move to strike out the paragraph for the purpose of asking a question of the chairman of the subcommittee. I would like to ask the gentleman from Idaho if he has any information in regard to the number of pairs of shoes the Navy Department is going to have made at the Leavenworth Penitentiary shoe factory?

At a hearing last week before the Committee on Expenditures in the Executive Departments, Mr. Reed, of the Bureau of Supplies and Accounts in the Navy Department, made the statement, in answer to some questions that I asked him, that the Navy Department had been notified by the Department of Justice that it was ready to manufacture shoes for the enlisted men of the Navy. He stated the Department of Justice, through the shoe factory at Leavenworth, had already manufactured shoes for the War Department and the Coast Guard amounting to 20,000 or 25,000 pairs.

If I am not in error, at the time the bill passed establishing the shoe factory at Leavenworth, the question was brought up in reference to making shoes for the Army and the Navy, and the officials of the Army and the Navy at that time held it would be impossible to make the shoes that the Army and Navy

require in the Leavenworth Penitentiary; but under the law the department is obligated to have shoes made at Leavenworth if the Department of Justice notifies them they are in a position to supply them. With the increase in the number of prisoners in the penitentiary that is making shoes for certain Indian reservations, for the Philippine Scouts, and for the prisoners, it is evident they are getting a large factory at Leavenworth, and I am wondering if the gentleman can give us any information as to how far they are going in the manufacture of shoes for the enlisted men of the Navy.

The shoe factories in my city, employing thousands of citizens, are very much interested in contracts for making shoes for the Army and the Navy. This work gives employment to free labor, and I do not think it is right for prison labor to interfere with free labor in the manufacture of shoes for the enlisted men of the Army and the Navy. The feet of the men of the Army and the Navy will break down if they do not have proper shoes, and it is beyond me to understand how shoes that are suitable for the Army and the Navy can be manufactured in the Leavenworth Penitentiary by men who are being taught the trade. Can the gentleman give me any information about this?

Mr. FRENCH. I would say that the committee has not gone into the question to which the gentleman refers. I realize that the problem of furnishing employment to prisoners within our penal institutions, so that upon the completion of their terms they may be physically and mentally and morally better, is a problem that is receiving the serious attention of the Department of Justice.

Of course, it goes without saying that the department is not undertaking to engage in manufacturing to compete with private industry in the commercial world. On the other hand, there have been places, as the ones to which the gentleman has referred, where for institutions or for services where the Government would need to make direct appropriations, the work of men in certain prisons and penitentiaries of our country has been utilized.

With regard to the specific question, we did not go into it and we have left it to be handled as a matter of administration.

Mr. OLIVER of Alabama. If the gentleman will permit, there was authorization some years ago by Congress that the penitentiary at Leavenworth should be provided with equipment for making shoes and in that authorization it was provided that shoes might be sold to the Army and the Navy. There has never been, I understand, equipment provided that would produce any very large outlay, and I question whether private business has been seriously interfered with.

Mr. COCHRAN of Missouri. I hope when the committee takes up the bill next fall it will look into this question and see how far they are going to go along this line and also if the shoes are satisfactory.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Subsistence of naval personnel: For provisions and commuted rations for enlisted men of the Navy, which commuted rations may be paid to caterers of messes in case of death or desertion upon orders of the commanding officers, at 50 cents per diem, and midshipmen at 80 cents per diem, and commuted rations stopped on account of sick in hospital and credited at the rate of 75 cents per ration to the naval hospital fund; subsistence of men unavoidably detained or absent from vessels to which attached under orders (during which subsistence rations to be stopped on board ship and no credit for commutation therefor to be given); quarters and subsistence of men on detached duty; subsistence of members of the Naval Reserve during period of active service; subsistence in kind at hospitals and on board ship in lieu of subsistence allowance of female nurses and Navy and Marine Corps general courts-martial prisoners undergoing imprisonment with sentences of dishonorable discharge from the service at the expiration of such confinement; in all, \$18,800,000;

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The Committee on Military Affairs for some time has been giving consideration to the item of rations for the enlisted men of the Army. The paragraph under consideration provides for rations in the Navy.

I wish to inquire whether these respective amounts carried for rations for the respective individuals are fixed according to law or are they legislative mandates?

Mr. FRENCH. The law touching the Army is not quite identical with the law touching the Navy and yet the figures are not so far apart.

This year the amount is upon the basis of 53½ cents per ration, as contrasted with 52½ cents for last year.

The law with respect to rations for the Navy provides in terms of components that must be purchased for the food of the enlisted men and we annually go over the items that go to

make up the food for the enlisted men and endeavor to fix the amount upon the basis of the probable cost.

Mr. STAFFORD. I notice you allow 80 cents as the quantum of allowance for midshipmen and 50 cents as the quantum of allowance for the mess of enlisted men. Is this 80 cents comparable, so far as the gentleman knows, with the amount for rations at the Military Academy?

Mr. FRENCH. I think these figures run very closely; in fact, we try to make them just the same and I am advised that in this instance they are the same.

Mr. STAFFORD. Then there is no strict accounting as to the amount that is used for rations? This money is appropriated and any excess goes to a sort of post fund?

Mr. FRENCH. No; the department is able to administer it so that if there are any funds left over they are simply turned back to the Treasury, and on the other hand, as the gentleman will recall the law, if we fail to appropriate enough for the provisions of the enlisted men, this is one of the items—and there are very few—under which the President is authorized to incur deficiencies in order to furnish food and subsistence for the personnel of the Navy.

The pro forma amendment was withdrawn.

The Clerk, proceeding with the reading of the bill, read to line 14, page 31.

Mr. FRENCH. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to; accordingly the committee rose; and the Speaker having resumed the chair, Mr. HOCH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12236, the naval appropriation bill, and had come to no resolution thereon.

REPAYMENT OF ILLEGAL OR UNAUTHORIZED FEDERAL TAXES TO THE INDIANS

Mr. O'CONNOR of Oklahoma. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate Joint Resolution 163, and consider the same. I introduced an identical bill in the House, which has been reported favorably by the Indian Committee and is on the calendar.

The SPEAKER. The Clerk will report the resolution.

The Clerk read the resolution, as follows:

Senate Joint Resolution 163

To carry out certain obligations to certain enrolled Indians under tribal agreement

Resolved, etc., That any person duly enrolled as a member of an Indian tribe who received in pursuance of a tribal treaty or agreement with the United States an allotment of land which by the terms of said treaty or agreement was exempted from taxation, and from which land the restrictions have been removed, and who was required or permitted contrary to such stipulation to pay any illegal or unauthorized Federal tax on the rents, royalties, or other gains arising from such tax-exempt lands during the period of such exemption and who would be entitled under the law and rulings of the Treasury Department in similar Indian cases to a refund of the taxes so illegally or erroneously collected but for the fact that he failed to file a claim for such refund within the time prescribed by law, shall be allowed one year after the approval of this act within which to file such claim, and if otherwise entitled thereto he may recover such illegal taxes in the same manner and to the same extent as if such claims for refund had been theretofore duly filed as required by law, it not being the policy of the Government to invoke or plead a statute of limitations to escape the obligations of agreements solemnly entered into with its Indian wards: *Provided, however,* That in the case of the death of any such person any such illegal taxes paid by him or on his account may in like manner be claimed and recovered by the person or persons who would have received such money had it constituted a part of his estate at the time of his death.

Sec. 2. That all acts and parts of acts in conflict herewith are modified for the purpose, and only for the purpose of carrying into effect the provisions hereof.

Mr. HASTINGS. Mr. Speaker, I want to ask my colleague if this bill was not unanimously reported from the Committee on Indian Affairs?

Mr. O'CONNOR of Oklahoma. Yes.

Mr. STAFFORD. I think there should be some brief explanation of this bill.

Mr. O'CONNOR of Oklahoma. I shall be glad to give it. The rules of the department require that application or request for the repayment of taxes illegally collected should be made within three or four years. The Government has already repaid all of this money which was collected illegally where application was filed within time. The department has reported to that effect. This bill gives the Treasury the authority to pay back all the money that they illegally collected and which

they had no right to collect in the first place. The Treasury has already repaid for the period not covered by the statute of limitations.

Mr. STAFFORD. How far does the authorization permit the department to go back?

Mr. O'CONNOR of Oklahoma. To all of the illegally collected taxes.

Mr. STAFFORD. How many years does that go back?

Mr. O'CONNOR of Oklahoma. Since 1913, if they collected it back that far.

Mr. STAFFORD. That is going back rather far to settle old claims.

Mr. O'CONNOR of Oklahoma. The money ought not to have been collected in the first place.

Mr. GARNER. How much money does this involve?

Mr. O'CONNOR of Oklahoma. I do not know; the department has not given us any figures.

Mr. GARNER. Is this to be repaid out of the Indian fund?

Mr. O'CONNOR of Oklahoma. No; it comes out of the Treasury. It is money that the Government collected from the Indians which ought not to have been collected.

Mr. HASTINGS. And it was held to be illegal because it was collected from the restricted Indians.

Mr. GARNER. I am not going to object to the bill but only to the principle—you are extending the statute of limitations in favor of the Indians and I think the Government should never invoke the statute of limitations against the Indians.

Mr. O'CONNOR of Oklahoma. They do not allow the white folks to do it, but the Government can do things that we can not.

Mr. GARNER. Well, as I say, I do not think the Government ought to invoke the statute of limitations against the Indians.

The SPEAKER. Is there objection?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, has a similar bill been favorably reported from the Indian Affairs Committee of the House?

Mr. O'CONNOR of Oklahoma. Yes. The Senate has passed the bill. The House Indian Affairs Committee unanimously reported a similar bill, and the gentleman from Kansas [Mr. SPROUL], the acting chairman on that day, is present in the Chamber now. The bill is on the calendar.

Mr. CRAMTON. What emergency is there for calling it up at this time of day?

Mr. O'CONNOR of Oklahoma. It was not called up because the gentleman was not present.

Mr. CRAMTON. I am sure of that, but nevertheless I rather like to feel that I can leave for a few moments.

Mr. O'CONNOR of Oklahoma. It is an opportune moment. The Senate bill is on the Speaker's desk. The Senate is passing so many bills that we do not want them to accumulate.

Mr. HASTINGS. Mr. Speaker, this is a bill introduced in the Senate by Senator THOMAS, and in the House by the gentleman from Oklahoma [Mr. O'CONNOR]. The Indian Affairs Committee favorably reported it and there is a favorable report upon it from the Secretary of the Interior. The bill passed the Senate yesterday and is on the Speaker's desk.

Mr. CRAMTON. I am not going to object to this, but I suggest that Members of the House have a right to expect that all sorts of legislation is not going to be brought up here in the last minutes of the day in the absence of some emergency justifying it. There is not much use of watching the Consent Calendar, otherwise. I shall not object to this, but I shall to the next one.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The joint resolution was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the joint resolution was passed was laid on the table.

A similar House bill was laid on the table.

PREVENTION OF FIRES AT GOVERNMENT AIRPORTS

Mr. KVALE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing two brief articles on fire menace in Air Corps hangars, written by the gentleman from New Jersey [Mr. HOFFMAN] and printed in the Army and Navy Journal, and in connection therewith I ask to have printed also a brief editorial which recently appeared in the Washington Star on the same subject.

Mr. SPROUL of Illinois. Mr. Speaker, I object.

Mr. KVALE. Then, Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein the two articles written by the gentleman from New Jersey, without the editorial.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to extend his remarks in the RECORD by printing

therein some articles recently written by the gentleman from New Jersey [Mr. HOFFMAN]. Is there objection?

There was no objection.

The articles are as follows:

[From the Army-Navy Journal, Washington, D. C., February 5, 1930]

HOFFMAN SEES FIRE MENACE AT AIR CORPS POSTS

By Representative HAROLD HOFFMAN, member of the House Committee on Military Affairs

Recently the attention of Members of Congress has been directed to a condition with respect to fire protection at Air Corps fields that would indicate the desirability of a careful survey to determine whether adequate fire protection is being provided. Planes and equipment are placed in hangars to a value of a million dollars or more and with the present system of fire protection there is little if any chance to save any of it in the event of fire.

NEW DEVELOPMENTS

Aviation is, of course, an industry of comparatively recent development. It is characteristic of a new industry that the primary thought and effort of the industry be devoted to development, progress, and growth, with very slight attention to conservation, saving, and economy. It is only when an industry has settled down to a steady pace, when its place has been found, that the balance swings to the other side and the conservation of existing equipment and facilities became more important than the development of new.

It is interesting to note that this transition is just now taking place in the aviation industry, particularly in the Army corps. Ideas are only now—perhaps somewhat belated some will think—turning to the safeguarding of the tremendous investments represented in flying equipment, storage, and working buildings and other accessories.

Conservation, or safety in aviation, involves three phases, i. e., first, safety of personnel; second, safety of operation of equipment; and, third, safety from fires. The first two have been given serious attention, and rightly so. Not only the element of human life, but the tremendous defense value, as well as dollar value of the trained pilot, dictate this, and the work must continue until, if possible, every hazard of flying is conquered.

THIRD PHASE

In considering the third phase an inspection and review of conditions in the flying fields of the country, both service fields and commercial ports, reveal a condition wherein there are hundreds of millions of dollars invested in flying equipment, including equipment described as "aids to flight," with apparently only fire equipment that has not been truly considered from the standpoint of the need for protection in this industry.

Hangar after hangar may to-day be seen filled with airplanes and seaplanes arranged in ingenious patterns within their doors so as to crowd the maximum investment into a unit space; but in these crowded areas are found no fire-extinguishing equipment, or, if any, units of a size and style totally inadequate to cope with the fire condition which may be anticipated. One views with misgivings a hangar worth conservatively \$200,000 filled with ships which may be quoted conservatively as worth \$800,000 "protected" against fire by a few devices such as are carried in automobiles or garages.

This apparent neglect of a great hazard may not be laid at the door of the officials entirely. It may be the fire-equipment industry has not developed a sufficient system of protection, because it must be recognized that the builders of aircraft have, not purposely, of course, and from reasons beyond control, created a fire hazard which has rarely, if ever, been equaled in ease of ignition, in rapidity of spread, and in total value of possible destruction. An airplane is so constructed as to have very thin members, which means a maximum contact of air and flammable material. Even though the material used were not a free-burning material—metal planes for example—this would represent a serious condition when a fire gets started. However, we must consider this in connection with a material that is among the freest burning materials known. Airplane fabric is a cloth impregnated with "dope." "Dope" is a nitrocellulose product differing from guncotton only in degree—a depressed guncotton in other words. Nor is this all—consider the gasoline tanks. They must convey great quantities of fuel, and the construction must be as light as safety will permit, weight being one of the greatest considerations. Consequently the airplane tank is much lighter, for instance, than an automobile tank.

Add this all together—nitrocellulose-doped fabric spread over great areas and large tanks of gasoline—planes crowded into the hangar with overlapping wings and underthrust tails and it is easy to realize the necessity for the development and installation of equipment suitable for the purpose. The insistent demand is for speed of operation. The same problem exists outside the hangar, on the apron where tinkering is done—engines warmed up—in the "dope" shops, and in the painting rooms.

It is apparent, too, that careful attention should be directed to other branches of military activities, where costly material is exposed to unusual fire hazard. My attention was directed to this in a recent inspec-

tion of the Army Signal School at Fort Monmouth, where there is stored, in obsolete hangars and dilapidated frame buildings radio experimental equipment, some of which can not be replaced, and valued in excess of \$1,000,000.

However, it is only by use and record of use that the relative value of proposed equipments can be ascertained and improvements made in design and construction. This data should be gathered as rapidly as possible and presented to Congress for appropriate consideration and action in providing funds if necessary.

The question is being asked of Congress whether enormous sums of money being voted for aircraft and equipment in the service branches are being foolishly exposed to destruction or zealously guarded and protected. Undoubtedly everything possible under present conditions is being done, but the question still recurs, Is it sufficient?

Lack of appropriations will not excuse the question. If there is not adequate protection, and the question is becoming increasingly important, Congress should be acquainted with the problem and every effort made to provide for such additions, including experimentation in proper fire-fighting apparatus for the peculiar and particular hazard represented as may be necessary. Congress when acquainted with the picture will undoubtedly provide the required funds.

[From the Army-Navy Journal, Washington, D. C., April 12, 1930]

AIRPORT FIRES SPUR PREVENTION EFFORTS

By Representative HAROLD HOFFMAN, of New Jersey, member of House Committee on Military Affairs

In the issue of the Army and Navy Journal of January 25, 1930, it was my privilege to invite attention to the necessity for a careful study of fire-prevention methods in the Army, particularly with reference to the adoption of some system that will insure adequate fire protection for the valuable equipment at Air Corps stations.

This need has just been impressed upon me more than ever by the fires that have occurred at air fields since that article, especially the one at Hadley Field, N. J., that destroyed several of the mail planes of the company operating the New York to Atlanta air mail line, as well as the hangars, and the one several days ago at Bolling Field. Within the past year disastrous fires have occurred, one where 13 ships in a hangar burned to total destruction without even scorching the interior woodwork, so rapid was the spread of the fire throughout the interior structures. I have a case in mind where a ship having the finishing touches put on prior to ceremonial christening suddenly flashed into fire and burned to total destruction before the eyes of the workmen, who had no means of coping with so large and so sudden a fire. At Bolling Field, fortunately, no planes were destroyed in this last fire. However, the cause of the fire is little understood and in no case, it is fair to assume, is the fire cause any too well understood throughout the entire experience of the Army, the Navy, or the commercial industry. All that is known is that fire comes quickly and when it does come it is most often without warning and works tremendous property damage. We must be prepared for such fires. We know they will occur, and we must develop some scheme that will cope with them. I am advised that every effort is made to provide fire protection and that in addition to the usual methods small fire-extinguishing apparatus is kept at hand. Yet even though such equipment may be well designed, it is insufficient in size to be of any great effect except in small fires. The problem is mainly one of size of extinguishing apparatus, and I am told that it is only recently that fire protection development has made available apparatus of an adequate capacity which can be quickly put into effective operation.

Fire-protection experts are at work on the problem, conferences are being held, and it seems to be the opinion of most engineers and operators that applying water to such fires will not solve the problem. One of the chief difficulties lies in the large quantities of gasoline. I understand experimentation is going on for the development of gasoline tanks that will offer security against this hazard. In addition are the oils, as well as the frail character of the construction of the planes themselves. The force of water destroys the delicate structure, the burning oil floats on the water, and in consequence the fire is spread more rapidly by water. Of course, water is the oldest medium used for fire control, and it has been decided wise to make tests which are now in progress to determine whether it may be effective in some measure on certain classes of hangar construction and plane construction. However, in my opinion it will be necessary to develop some form of chemical system. The need is for large quantities of quick availability, and just as soon as some method is discovered for mechanically detecting fires of the character occurring at air fields at a cost that is within reason just so soon will the Government be able to save millions of totally wasteful destruction from fire, and with economy becoming more and more necessary in the management of Government affairs, the protection of a concentration of value such as occurs in a hangar will prove one of the most beneficial savings that can be brought about, so far as aviation is concerned.

When the Committee on Military Affairs reaches the point where time can be spent upon an inquiry into this problem it is my purpose to request that every effort be made to develop just what is being done, and what further steps are necessary to insure adequate solution of the problem.

THE PROPOSED GEORGE ROGERS CLARK MEMORIAL LIGHTHOUSE AT LOUISVILLE, KY.

Mr. THATCHER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the bill H. R. 1818, and to include therewith an article written by myself and published in the Louisville Herald-Post on May 4 last.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to extend his remarks in the manner indicated. Is there objection?

There was no objection.

Mr. THATCHER. Mr. Speaker, under authority granted me therefor, I herewith extend my remarks on H. R. 1818, "A bill to authorize the construction of a George Rogers Clark Memorial Lighthouse on the Ohio River at, or adjacent to, the city of Louisville, Ky.," by the inclusion of an article touching the nature and purposes of the indicated measure, which article was written by me and was published in the Herald-Post, of Louisville, Ky., in its issue of May 4, 1930. The article follows:

THE PROPOSED GEORGE ROGERS CLARK MEMORIAL LIGHTHOUSE

By Hon. MAURICE H. THATCHER, Member of Congress, fifth Kentucky district

I have been asked to contribute this article to the Herald-Post's anniversary edition touching the formal incorporation of the city of Louisville 150 years ago. It has been suggested that the article deal with George Rogers Clark and the proposed George Rogers Clark Memorial Lighthouse at Louisville. I appreciate very much the invitation thus extended, and I am very glad, indeed, to respond to it, to the best of my ability, and in this way.

The Nation owes a debt of gratitude to this illustrious soldier-patriot which it can never repay. His genius and energy brought into the American Union the great States northwest of the Ohio River—Indiana, Ohio, Illinois, and Michigan, and eastern Minnesota—and also saved to our country Kentucky, Tennessee, Alabama, Mississippi, and Georgia. The story of his conquering expedition into the Northwest Territory, beginning at Corn Island, at the head of the Ohio River Falls in 1778, during the Revolutionary War, has been told and retold to the world's wonder and admiration ever since those stirring events occurred. That story is of Homeric character, and some day its treatment in the hands of some great master of poesy will constitute one of the great epics of the race.

Clark, a Virginian by birth but by adoption a Kentuckian, conceived the idea that with a small body of Colonial troops he might strike, in the rear, the British and their Indian allies of the great Northwest region and destroy or conquer them and take and hold possession of that region for the American States. By means of this action he also expected to relieve the exposed and helpless condition of the Kentucky settlements, which had almost disappeared under the savage forays of the Indian allies of the British coming southward across the Ohio River after American independence was declared; and he also had in mind another very important object—that of relieving the British pressure on the western front of the American armies. These plans of Clark for their boldness and far-reaching effect have never been, perhaps, excelled in all history; and their splendid consummation not only entitled him to be called the "Washington of the West" but likewise entitle him to rank in courage, daring, vision, diplomacy, statesmanship, and military skill as one of the world's greatest characters.

His wisdom and knowledge of the arts of war were reflected in every move he made in dealing with the conquest of the Northwest Territory. Thus his selection of Corn Island as the base of his operations was of the highest strategic value. There at the head of the great falls, near the Kentucky shore, his headquarters had the great advantage of comparative security from attack at the hands of the hostile tribes north of the Ohio. He thus employed and relied on the physical advantages and protection such a location afforded. Here on Corn Island, for a period, and later in a fort on the south shore of the Ohio River within the limits of the present-day Louisville, he maintained his headquarters and rendezvous during the years of the Revolutionary War, beginning with 1778. From this strategic point he went forth upon his military expeditions into the Northwest country. From Corn Island, with fewer than 200 men, he passed down the Ohio upon the epochal adventure which resulted in the capture of Kaskaskia and Cahokia, in what is now Illinois, and of old Fort Sackville, at Vincennes, in what is now Indiana.

The capture of these dominant points, which were under British control, and his great tact in winning to the American cause the French settlers of those regions were the early master strokes by means of which the vast Northwest region was brought into our national domain. Lack of space precludes here a recital of the further offensive and defensive efforts put forth by Clark in regard to the holding of this great primeval empire; nor is such recital necessary except that the marvelous story, because of its inspirational value, can never be too often told.

During his life the Nation which he so effectively and brilliantly served failed to discharge, in any adequate or measurable way, the over-

whelming debt of gratitude it owed him. More than this, the Government of the Nation failed to satisfy the financial obligations he had assumed and discharged for it in his great exploits. The treatment thus accorded him gives color to the oft-repeated statement that "republics are ungrateful." Very recently, however, there has come about a spirit and purpose to have the Nation memorialize, in a fitting manner, his great and splendid deeds. Thus, in 1888, Senator Hoar, of Massachusetts, introduced in the Senate, and secured the passage by that body, of a bill making appropriation of a sum sufficient to erect a George Rogers Clark memorial at Louisville. This measure failed of passage in the House. During the period of his service in the United States Senate (1909-1914), Senator Bradley, of Kentucky, introduced a like bill for the like purpose. It passed the Senate but failed to pass in the House.

I have always believed that upon the site of Corn Island, or at some point adjacent thereto, the Nation should erect an appropriate George Rogers Clark memorial. Also, since I have been familiar with the navigational perils of the Ohio River in the Louisville sector, I have believed that the Federal Government should provide, at or near the falls, a lighthouse as an aid to navigation. The reasons why this is an ideal location for such a memorial are many. In addition to those which are already indicated, there might be added these: General Clark lived practically all his adult life adjacent to the falls of the Ohio, either in Louisville or within its environs, or across the river on the Indiana shore. In this vicinity he died, and to-day his sacred dust sleeps in beautiful Cave Hill Cemetery, in Louisville. The city of Louisville itself was founded as a settlement, in the fall of 1778, by the families which had come to Corn Island, and had there received the protection which General Clark and his soldiers gave them. In addition to the great distinction which came to the falls area by reason of the fact that Clark's base of operations was there maintained during the War of the Revolution; in addition to the fact that there, for years, he made his home, and there he died and was buried—there is to be noted the further very important historical fact that from this point Capt. William Clark, the brother of George Rogers Clark, and Capt. Meriwether Lewis, appointed by President Jefferson as joint leaders of the famous Lewis and Clark expedition to explore to the Pacific Ocean the vast region of the Louisiana Purchase, departed on that stupendous adventure on October 8, 1803, and to this point they returned on November 5, 1806, their efforts crowned with success.

Hence, a site at or near Corn Island is ideal for the location of a memorial to General Clark. In view of the facts involved no superior place for such memorial can be found, whether at Vincennes, Cabokia, Kaskaskia, Piqua, or elsewhere. The enumerated places were, it is true, scenes of conquest or conflict in the efforts of Clark to wrest the Northwest Territory from the British, and Vincennes, or Fort Sackville, was the site of a most brilliant achievement of Clark and his hardy soldiers; but all of his efforts would have been unavailing except for the fact that he was able to maintain throughout the years of his service during the Revolutionary War this Ohio Falls base, from which he went back and forth with safety and success. Moreover, hardy Kentucky pioneers and frontiersmen served under him and greatly contributed to the work of bringing the Northwest Territory into the Nation's borders.

With these general facts in mind, during the first session of the Sixty-ninth Congress—that is to say, on February 22, 1926—I introduced a bill known as H. R. 9644, providing for an appropriation of \$150,000 of Federal funds (but without any local contribution provided) for the erection of a George Rogers Clark memorial lighthouse at or near the head of the falls at Louisville. This measure received the unanimous indorsement of the Daughters of the American Revolution and of the Sons of the American Revolution, each in national convention assembled. House committee hearings were had on the measure but no action was taken by the committee thereon. In December, 1926, there was introduced in Congress a measure providing for the contribution by the Federal Government of \$1,000,000 toward the construction of an elaborate and expensive George Rogers Clark memorial at Vincennes, other funds aggregating several hundred thousand dollars to be contributed by the State of Indiana and the city of Vincennes. Largely because of these local contributions this measure received the approval of the House and Senate Library Committees—to which committees such bills are referred—and the measure was enacted and the Federal appropriation it carried was made. Favorable action on the Vincennes bill had the effect of staying definite action on my own bill.

Later in the first session of the Seventieth Congress, on December 5, 1927, I reintroduced the memorial lighthouse measure (H. R. 5689); and again the action of Congress in voting so large a sum for the Vincennes project had the effect of delaying action on the lighthouse bill. Thereupon, I again introduced the bill in the first session of the present, the Seventy-first Congress—that is to say, on April 23, 1929 (H. R. 1818)—and this measure is now pending before the two Library Committees. Hearings by both committees have recently been accorded thereon, and committee action is being awaited.

I have urged that Federal memorialization of George Rogers Clark should not be limited to Vincennes. The fact that a memorial to Clark is being erected at Vincennes should not prejudice action in behalf of a like memorial at Louisville. The proponents of the Louisville project

believe that, however worthy the claims of Vincennes may be, the claims in behalf of the Louisville site are, in fact and in truth, superior to those of any other place. I have never opposed the Vincennes project for the reason that I have ever desired to see the great services of Clark fittingly commemorated; and because of the extent and character of his military operations there can be appropriately erected at both Louisville and Vincennes Clark memorials. The amount asked for the Louisville memorial is very modest compared with that voted for the Vincennes project. In addition to the million dollars authorized for the Vincennes memorial, the proponents of that enterprise have come back to Congress and are now asking for an additional \$750,000. It remains to be seen what Congress will do with this request. Among those who believe that the Corn Island site is the most appropriate of all suggested places for a Clark memorial are Hon. Temple Bodley, of Louisville, who has written the most thorough, scholarly, and authentic history of George Rogers Clark that has yet been written; and Hon. Rogers Clark Ballard Thurston, also of Louisville, president of the Filson Club, student, scholar, and historian, and himself of the George Rogers Clark blood.

The great falls of the Ohio River at Louisville, with their 30-foot drop within the distance of 2½ miles, and a mile width of river, have always presented grave navigational perils. Here the currents are very swift and treacherous. The construction of the new power-navigation dam at the foot of the falls, about a mile and a half in length, has operated to increase greatly the hazards of navigation.

Also the recent completion of the Ohio River canalization project, whereby there will be maintained in this great stream a minimum all-year channel of 9-foot depth from Pittsburgh to Cairo, a stretch of nearly 1,000 miles, will vastly increase the river's traffic in the years to come, and this means greater and greater perils of navigation in the Louisville area. This is especially true as regards seasons of flood and fog and ice. An appropriately designed and located light is greatly needed, and will prove to be of inestimable value as an aid to navigation. The Secretary of Commerce has so stated in a letter to the House Library Committee in regard to the George Rogers Clark memorial lighthouse bill.

The river hazards at Louisville have long been recognized by the United States Government in a practical way. For many years a Coast Guard station has been maintained at Louisville above the falls, and it has functioned in the most effective and efficient manner. Scores of lives have been saved and innumerable boats, large and small, and other property, have been rescued by its brave and skillful crews. The proposed light would tend to supplement the work of the Coast Guard station and would make for greater security of life and property.

The pending George Rogers Clark memorial lighthouse bill authorizes and directs the Secretary of War "to construct in the Ohio River at Louisville, Ky., within or near the area of the falls of said river, or upon or near the southern shore of said stream at or adjacent to said city, a national memorial to George Rogers Clark to commemorate the invaluable services he rendered to the United States in his conquest of the Northwest Territory during the War of the American Revolution. The site for such memorial shall be designated by the Secretary of War and the Secretary of Commerce, acting jointly. Such memorial shall be so designed and constructed as to contain a light which shall serve as an aid to navigation on the Ohio River, and shall be so situated as to be of the greatest possible benefit to such navigation." The bill further provides that the Secretary of War shall cause to be prepared the plans, specifications, and estimates for such memorial, and upon the approval of the plans, so far as they relate to the character and location of the light, by the Secretary of Commerce the Secretary of War shall contract for the construction of the memorial at a cost not exceeding \$150,000. Also under the terms of the measure the memorial (with the exception of the light, which shall be under the supervision of the Secretary of Commerce) shall be under the supervision of the Chief of Engineers of the United States Army.

The Bureau of Lighthouses has charge of all lighthouses of the country; and this bureau is under the Secretary of Commerce. This is the reason the indicated light and its operation are placed under the Secretary of Commerce and the Lighthouse Service.

My conception of this memorial lighthouse follows. The erection of a tall, substantial, and shapely tower of masonry at a point just above the outer shore point of the Louisville and Portland Canal. This is the site selected by the Bureau of Lighthouses after a survey of the Louisville situation in connection with the proposed lighthouse. This site is in the immediate vicinity of Corn Island. Superimposed on this tower there will be placed a heroic figure of General Clark, in bronze or other appropriate metal, with uplifted sword pointed to the northward, to the Northwest Territory which he conquered; and there will be placed in the sword hand, or in the other hand, a flashing torch or light of brilliant power, to warn and guide navigation in the falls section of the river at nighttime.

Thus, this project will combine the features of memorialization and utility. Such combination has the approval of Mr. Charles Moore, chairman of the Commission of Fine Arts, and one of the country's most eminent authorities on artistic and memorial matters.

If this measure is enacted, and the memorial lighthouse constructed, the structure will rise at a point in the river where it may be viewed

from the innumerable craft that will pass up and down the river and the canal in the years to come; and also by untold thousands of visitors who may go across the canal bridge to the point at the entrance of the canal. Its flashing light in the hours of darkness will produce an effect similar to that produced by the flaming torch surmounting the famous Statue of Liberty in New York Harbor, and the great figure below it, in seasons of the night—a picture of the most inspiring beauty and grandeur. On at least two occasions, on coming into New York Harbor after nightfall, I have been thrilled by this rare spectacle, and this is the effect on all who thus observe it.

Thus the George Rogers Clark Memorial Lighthouse will not only serve a highly useful purpose as an aid to navigation, but it will also serve an even higher purpose, that of giving forth spiritual illumination, in calling to mind and heart and emulation, the illustrious deeds of one of the Nation's founders and greatest sons, whose name and fame shall live as long as history shall endure. I know of no better way to close this article than to quote the words (very modest they are, too, in view of the character of his own work), used by Mr. Bodley in relation to a George Rogers Clark memorial, in his splendid historical work entitled "George Rogers Clark—His Life and Public Services." They are as follows:

"The day will surely come—and it may be near—when, from the unerring contemporary records, some Prescott or Irving will reach the American public with the true story of his career and its national significance. Then, on Corn Island, at the head of the falls of the Ohio—midway between his last resting place on one side and his last home on the other, and midway between the five great Northern States that he won for us, and the five States south of them that he saved for us—will rise a monument piercing the skies, and every school child will know who George Rogers Clark was."

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3060. An act to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes; to the Committee on the Judiciary.

ENROLLED BILLS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 156. An act to authorize the disposal of public land classified as temporarily or permanently unproductive on Federal irrigation projects;

H. R. 1793. An act for the relief of Albert L. Loban;

H. R. 9850. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near New Martinsville, W. Va.;

H. R. 10248. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Moundsville, W. Va.;

H. R. 10651. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Wellsburg, W. Va.; and

H. R. 11588. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 2400. An act to regulate the height, exterior design, and construction of private and semipublic buildings in certain areas of the National Capital; and

S. 4221. An act for the disposal of combustible refuse from places outside of the city of Washington.

BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President for his approval bills of the House of the following titles:

H. R. 8531. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1931, and for other purposes;

H. R. 10651. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Wellsburg, W. Va.; and

H. R. 11588. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

ADJOURNMENT

Mr. TILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 42 minutes p. m.) the House adjourned to meet to-morrow, Wednesday, May 14, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Wednesday, May 14, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

(10 a. m.)

To amend an act entitled "An act for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes," approved August 25, 1919, as amended by the act of March 6, 1920 (H. R. 11850).

COMMITTEE ON INDIAN AFFAIRS

(10 a. m.)

Authorizing the Secretary of the Interior to arrange with States for the education, medical attention, and relief of distress of Indians, and for other purposes (H. R. 9766).

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

Authorizing the Secretary of the Navy to accept, without cost to the Government of the United States, a lighter-than-air base near Sunnyvale, in the county of Santa Clara, State of California, and construct necessary improvements thereon (H. R. 6810).

Authorizing the Secretary of the Navy to accept a free site for a lighter-than-air base at Camp Kearny, near San Diego, Calif., and construct necessary improvements thereon (H. R. 6808).

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

Second deficiency bill.

COMMITTEE ON MINES AND MINING

(10.30 a. m.)

Authorizing appropriations for the completion of the Amarillo helium plant (H. R. 10200).

COMMITTEE ON BANKING AND CURRENCY

(10.30 a. m.)

To consider branch, chain, and group banking as provided in House Resolution 141.

EXECUTIVE COMMUNICATIONS, ETC.

465. Under clause 2 of Rule XXIV, a communication from the President of the United States, transmitting an estimate of appropriation for the Navy Department for the fiscal year ending June 30, 1931, of \$332,000, which is supplemental to the estimates for recreation for enlisted men, Navy, transmitted in the Budget for 1931 (H. Doc. No. 396), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. LUCE: Committee on the Library. S. J. Res. 127. A joint resolution authorizing the erection on the grounds in the city of Washington, D. C., of a memorial to William Jennings Bryan; without amendment (Rept. No. 1437). Referred to the Committee of the Whole House on the state of the Union.

Mr. LEAVITT: Committee on the Public Lands. S. 317. An act to authorize the Secretary of the Interior to grant certain oil and gas prospecting permits and leases; without amendment (Rept. No. 1438). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLTON: Committee on the Public Lands. H. R. 12235. A bill to provide for the creation of the Colonial National Monument in the Commonwealth of Virginia, and for other purposes; with amendment (Rept. No. 1439). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. JOHNSTON of Missouri: Committee on Claims. H. R. 680. A bill for the relief of J. O. Winnett; without amendment (Rept. No. 1432). Referred to the Committee of the Whole House.

Mr. KINZER: Committee on Claims. H. R. 7445. A bill for the relief of J. W. Nix; with amendment (Rept. No. 1433). Referred to the Committee of the Whole House.

Mr. BUTLER: Committee on Claims. H. R. 7849. A bill for the relief of R. K. Stiles & Co.; with amendment (Rept. No. 1434). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 8612. A bill for the relief of Ralph Rhees; with amendment (Rept. No. 1435). Referred to the Committee of the Whole House.

Mr. SCHAFER of Wisconsin: Committee on Claims. H. R. 11608. A bill for the relief of Jerry Esposito; without amendment (Rept. No. 1436). Referred to the Committee of the Whole House.

Mr. LEAVITT: Committee on the Public Lands. H. R. 11820. A bill to authorize issuance of a patent for certain lands to J. R. Murphy; with amendment (Rept. No. 1440). Referred to the Committee of the Whole House.

Mr. GUYER: Committee on Claims. H. R. 481. A bill for the relief of Maj. Martin F. Scanlon, Lieut. Courtney Whitney, and Lieut. Alfred B. Baker; without amendment (Rept. No. 1441). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOX: A bill (H. R. 12341) to amend the immigration act of 1924 by making the quota provisions thereof applicable to the Republic of Mexico; to the Committee on Immigration and Naturalization.

By Mr. BRITTEN: A bill (H. R. 12342) to amend the act of March 4, 1911, entitled "An act for the establishment of marine schools, and for other purposes"; to the Committee on Naval Affairs.

By Mr. BYRNS: A bill (H. R. 12343) to authorize the Secretary of the Treasury to accept donations of sites for public buildings; to the Committee on Public Buildings and Grounds.

By Mr. CABLE: A bill (H. R. 12344) providing for the citizenship of adopted alien children, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. CLANCY: A bill (H. R. 12345) amending the World War adjusted compensation act; to the Committee on Ways and Means.

By Mr. DALLINGER: A bill (H. R. 12346) to authorize the Postmaster General to pay laborers in the Railway Mail Service on the basis of 306 days per annum; to the Committee on the Post Office and Post Roads.

By Mr. DYER: A bill (H. R. 12347) to provide for the appointment of an additional district judge for the eastern district of Missouri; to the Committee on the Judiciary.

By Mr. KORELL: A bill (H. R. 12348) to provide for the partial payment of the expenses of foreign delegates to the Eleventh Annual Convention of the Federation Interalliee Des Anciens Combattants, to be held in the District of Columbia in September, 1930; to the Committee on Foreign Affairs.

By Mr. McLEOD: A bill (H. R. 12349) to provide for the appointment of an additional district judge for the eastern district of Michigan; to the Committee on the Judiciary.

By Mr. MICHENER: A bill (H. R. 12350) to provide for the appointment of an additional district judge for the eastern district of Michigan; to the Committee on the Judiciary.

By Mrs. OWEN: A bill (H. R. 12351) providing for the reimbursement of Florida farmers and fruit growers in the Mediterranean fruit-fly eradication campaign; to the Committee on Appropriations.

By Mr. PORTER: A bill (H. R. 12352) to authorize the payment of an indemnity to the Norwegian Government in full and final satisfaction of all claims arising as a result of the detention of the Norwegian steamer *Tampen* by the United States Coast Guard in June, 1925; to the Committee on Foreign Affairs.

By Mr. QUAYLE: A bill (H. R. 12353) for the construction of a recreation building at the naval hospital, Brooklyn, N. Y.; to the Committee on Naval Affairs.

By Mr. WURZBACH: A bill (H. R. 12354) to amend an act entitled "An act providing for the purchase of 1,124 acres of land, more or less, in the vicinity of Camp Bullis, Tex., and authorizing an appropriation therefor," approved January 12, 1929, Public, No. 651, Seventieth Congress; to the Committee on Military Affairs.

By Mr. ZIHLMAN: A bill (H. R. 12355) to reconstruct the Dunkard Church, located on the Antietam battle field, and preserve it as a part of the Antietam National Cemetery; to the Committee on Military Affairs.

MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

Concurrent resolution from the Senate of Porto Rico, requesting the Congress of the United States to restore to the island its true name of Puerto Rico in place of Porto Rico, as it is now called; to the Committee on Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CHALMERS: A bill (H. R. 12356) for the relief of the Willys-Overland Co.; to the Committee on Claims.

By Mr. CONNERY: A bill (H. R. 12357) for the relief of Harry Arbogast; to the Committee on Claims.

By Mr. DAVENPORT: A bill (H. R. 12358) granting an increase of pension to Esther Dibble; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12359) granting an increase of pension to Jennie Beaver; to the Committee on Invalid Pensions.

By Mr. DOUTRICH: A bill (H. R. 12360) granting a pension to Mary J. Glace; to the Committee on Pensions.

By Mr. DRANE: A bill (H. R. 12361) granting a pension to Jasper K. Worley; to the Committee on Pensions.

By Mr. ESTERLY: A bill (H. R. 12362) granting a pension to Augustus Zieber; to the Committee on Invalid Pensions.

By Mr. GARBER of Oklahoma: A bill (H. R. 12363) granting a pension to James B. Wilson; to the Committee on Pensions.

By Mr. GIBSON: A bill (H. R. 12364) granting an increase of pension to Adalade P. Cousens; to the Committee on Invalid Pensions.

By Mr. HOUSTON of Delaware: A bill (H. R. 12365) for the relief of John A. Cranston and the former stockholders of the F. K. Wills Construction Co.; to the Committee on Claims.

By Mr. JONAS of North Carolina: A bill (H. R. 12366) granting a pension to George R. Nash; to the Committee on Pensions.

Also, a bill (H. R. 12367) for the relief of George R. Nash; to the Committee on Military Affairs.

By Mrs. KAHN: A bill (H. R. 12368) for the relief of Hamilton Stone Wallace; to the Committee on Military Affairs.

By Mr. KENDALL of Pennsylvania: A bill (H. R. 12369) granting an increase of pension to Margaret A. Lohr; to the Committee on Invalid Pensions.

By Mr. MENGES: A bill (H. R. 12370) granting an increase of Pension to Lucy A. Myers; to the Committee on Invalid Pensions.

By Mr. NIEDRINGHAUS: A bill (H. R. 12371) for the relief of John W. Bailey; to the Committee on Military Affairs.

By Mr. MOREHEAD: A bill (H. R. 12372) granting a pension to John Miller; to the Committee on Pensions.

By Mr. NELSON of Missouri: A bill (H. R. 12373) granting a pension to Betty Chism; to the Committee on Invalid Pensions.

By Mr. SUMMERS of Washington: A bill (H. R. 12374) for the relief of William R. Cox; to the Committee on Claims.

By Mr. TABER: A bill (H. R. 12375) for the relief of Charles G. Boyd; to the Committee on Military Affairs.

By Mr. TARVER: A bill (H. R. 12376) for the relief of Thomas B. Munroe; to the Committee on World War Veterans' Legislation.

By Mr. VESTAL: A bill (H. R. 12377) granting a pension to Rufus Allison Gates; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12378) granting a pension to Mary H. Roberts; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7257. Petition of Philip Bernstein Sick Benefit Association, opposing the enactment of the voluntary alien registration bill now before Congress, or any other legislation requiring the registration of aliens; to the Committee on Immigration and Naturalization.

7258. By Mr. BLACKBURN: Memorial of the Shelbyville District Conference of the Methodist Episcopal Church, South, held at Crestwood, Ky., and signed by E. M. Armitage, R. N. Bush, and James E. Wright, congratulating Congress for upholding the eighteenth amendment and for favoring enforcement of prohibition laws; to the Committee on the Judiciary.

7259. Also, memorial of Parent-Teachers' Association of Lexington Junior High School, of Lexington, Ky., signed by Mrs. S. L. Fennell and Mrs. W. S. Fritts, memorializing Congress to

enact a law for the Federal supervision of the production and distribution of motion pictures; to the Committee on Interstate and Foreign Commerce.

7260. Also, memorial of the faculty of Sayre School, of Lexington, Ky., signed by J. C. Hanley, president, memorializing Congress to enact a law for the Federal supervision of the production and distribution of motion pictures; to the Committee on Interstate and Foreign Commerce.

7261. By Mr. CAMPBELL of Iowa: Petition of the Woman's Christian Temperance Union of Cherokee, Iowa, and the Woman's Christian Temperance Union of Alta, Iowa, requesting Congress to enact a law for the Federal supervision of motion pictures establishing higher standards before production for films that are to be licensed for interstate and international commerce; to the Committee on Interstate and Foreign Commerce.

7262. By Mr. GARNER of Oklahoma: Petition of Carrier Oklahoma Parent-Teachers' Association, Carrier, Okla., in favor of maintaining department of education under a separate head; to the Committee on Education.

7263. Also, petition of Enid Trades Council, Enid, Okla., in support of House bill 9232; to the Committee on Labor.

7264. By Mr. HICKEY: Petition of Luther Lane and other residents of South Bend, Ind., urging the early passage of House bill 8976, to equalize the pensions of the veterans of Indian wars with those of other wars; to the Committee on Pensions.

7265. By Mr. HILL of Washington: Petition of Charles W. White and 22 other citizens of Spokane, Wash., urging passage of the Robison-Capper educational bill; to the Committee on Education.

7266. By Mr. HUDSON: Petition of citizens and ex-service men of the World War, of Fowlerville, Mich., urging the payment of the adjusted compensation certificates to the needy ex-service men in the very near future; to the Committee on Ways and Means.

7267. By Mr. MOREHEAD: Petition of Hon. M. M. Nickum and many others, in regard to the Robison-Capper free public school bill; to the Committee on Education.

7268. By Mr. NEWHALL: Resolution of Kentucky conference, Women's Missionary Society, signed by Mrs. J. C. Lewis, president, and Mrs. H. B. Schuermann, secretary, requesting the House of Representatives to pass legislation providing for Federal supervision of motion pictures that are to be licensed for interstate and international commerce; to the Committee on Interstate and Foreign Commerce.

7269. By Mr. O'CONNOR of New York: Resolution of the New York Mercantile Exchange, favoring passage of Senate bill 108; to the Committee on Agriculture.

7270. Also, resolution of the United Irish Counties Association, of New York City, for the repeal of the national-origins clause of the immigration laws; to the Committee on Immigration and Naturalization.

SENATE

WEDNESDAY, May 14, 1930

(Legislative day of Tuesday, May 13, 1930)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Farrell, its enrolling clerk, announced that the House had passed the following bill and joint resolution of the Senate:

S. 4015. An act to provide for plant patents; and
S. J. Res. 163. Joint resolution to carry out certain obligations to certain enrolled Indians under tribal agreement.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 7405) to provide for a 5-year construction and maintenance program for the United States Bureau of Fisheries.

The message further announced that the House had agreed to the amendment of the Senate to each of the following bills of the House:

H. R. 668. An act for the relief of A. J. Morgan;
H. R. 1251. An act for the relief of C. L. Beardsley; and
H. R. 7768. An act to provide for the sale of the old post office and courthouse building and site at Syracuse, N. Y.

The message also announced that the House had passed a joint resolution (H. J. Res. 328) authorizing the immediate appropriation of certain amounts authorized to be appropriated by the settlement of war claims act of 1928, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 2400. An act to regulate the height, exterior design, and construction of private and semipublic buildings in certain areas of the National Capital;

S. 4221. An act for the disposal of combustible refuse from places outside of the city of Washington;

H. R. 156. An act to authorize the disposal of public land classified as temporarily or permanently unproductive on Federal irrigation projects;

H. R. 1793. An act for the relief of Albert L. Loban;

H. R. 9850. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near New Martinsville, W. Va.; and

H. R. 10248. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Moundsville, W. Va.

CALL OF THE ROLL

Mr. FESS. Mr. President, I suggest the absence of a quorum. The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Fess	La Follette	Simmons
Ashurst	Frazier	McCulloch	Smoot
Baird	George	McKellar	Steak
Barkley	Gillett	McMaster	Stelwer
Bingham	Glass	McNary	Stephens
Black	Glenn	Metcalf	Swanson
Blaine	Goldsborough	Norris	Thomas, Idaho
Blease	Greene	Oddie	Thomas, Okla.
Borah	Hale	Overman	Townsend
Bratton	Harris	Patterson	Trammell
Brock	Harrison	Phipps	Tydings
Broussard	Hastings	Pine	Vandenberg
Capper	Hatfield	Ransdell	Walcott
Caraway	Hawes	Reed	Walsh, Mass.
Connally	Hayden	Robinson, Ark.	Walsh, Mont.
Copeland	Hebert	Robinson, Ind.	Waterman
Couzens	Howell	Robison, Ky.	Watson
Cutting	Johnson	Schall	Wheeler
Dale	Jones	Sheppard	
Deneen	Kendrick	Shipstead	
Dill	Keyes	Shortridge	

Mr. COPELAND. My colleague the junior Senator from New York [Mr. WAGNER] is absent from the Senate to-day on official business connected with the investigation of campaign expenditures. I ask that this fact may be noted in the RECORD for the day.

Mr. FRAZIER. My colleague [Mr. NYE] is unavoidably absent for the day on official business. I wish this announcement to stand for the day.

Mr. McMASTER. I desire to announce that my colleague the senior Senator from South Dakota [Mr. NORBECK] is unavoidably absent. I ask that this announcement may stand for the day.

Mr. SHEPPARD. I wish to announce that the Senator from Florida [Mr. FLETCHER] and the Senator from South Carolina [Mr. SMITH] are detained from the Senate by illness.

Mr. BLACK. I desire to announce that my colleague the senior Senator from Alabama [Mr. HEFLIN] is necessarily detained in his home State on matters of public importance.

The VICE PRESIDENT. Eighty-one Senators have answered to their names. A quorum is present.

CAUSE OF DECLINE OF COTTON PRICES (S. DOC. NO. 148)

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, reporting tentatively relative to Senate Resolution 149, directing that certain investigations be made through the Grain Futures Administration pertaining to the transactions in cotton futures, including the cause of the decline in prices during the years 1926, 1927, 1928, and 1929, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the petition of the Citizens' Joint Committee on Fiscal Relations between the United States and the District of Columbia, signed by Theodore W. Noyes, chairman of the executive committee; E. F. Coladay, chairman citizens' joint committee and vice chairman of the executive committee; and other citizens representing civic and other organizations, all of the District of Columbia, praying that the Congress return in its appropriation practice to the 60-40 definite proportionate contribution plan provided by the substantive law of 1922, and, further, that, while the lump-sum payment plan of national contribution toward Capital upbuilding continues as the annual exceptional appropriation practice, the amount of such lump-sum payment shall be largely increased, which, with the accompanying statement presenting an